Missouri House of Representatives

House Journals

1996 Session

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Missouri House of Representatives

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House Journal

Second Regular Session, 88th General Assembly

FIRST DAY, Wednesday, January 3, 1996

Speaker Griffin in the Chair.

Prayer by Father Hugh Behan.

"The servant is not greater than his/her master." (Jn. 13:16)

We are grateful for the start of a new year, always a time of hope and promise.

We ask a special blessing, gracious God, on the work of this 88th General Assembly, Second Regular Session, and especially for our change of leadership. May we address issues, not personalities, and however much we disagree, may we not be disagreeable. May we keep sight of the State's motto, the well-being of the people, which is the goal of our work, the supreme law which has brought us here and is expected to be the guide which governs us while we serve the people who are our true masters. We pray for eternal life and consolation for the families of those former colleagues and family members who died since our last gathering in this Chamber. And we pray for those recovering from surgery or a serious illness at this time. Amen.

The Pledge of Allegiance to the flag was recited.

COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the Eighty-Eighth General Assembly, Second Regular Session, of the State of Missouri:

In compliance with Section 115.525, Revised Statutes of Missouri, 1986, I have the honor to lay before your honorable body herewith a list of the names for the members of the House of Representatives for the Eighty-Eighth General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on the 8th day of November, A.D., 1994.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affix the official seal of my office this 3rd day of January, A.D. 1996.

/s/Rebecca McDowell Cook

SECRETARY OF STATE

First Day-Wednesday, January 3, 1996

STATE REPRESENTATIVES

District	Name
1st	Jim Sears
2nd	Don Summers
3rd	Phil Tate

4th	Rex Barnett
5th	Dan Hegeman
6th	Bob F. Griffin
7th	Dale Whiteside
8th	Gary Wiggins
9th	Sam Leake
10th	Robert Clayton
11th	Philip G. Smith
12th	William J. (Bill) Leutkenhaus
13th	Harriet Brown
14th	Cindy Ostmann
15th	Jon Bennett
16th	Rich Chrismer
17th	Don R. Kissell
18th	Charles (Chuck) Gross
19th	Charles Nordwald
20th	Gracia Yancey Backer
21st	Ted Farnen
22nd	Steve Gaw
23rd	Timothy Harlan
24th	Jim Pauley
25th	Ken Jacob
26th	T.W. (Tom) Marshall
27th	Glenda Kelly
28th	Charlie Shields
29th	Gary Witt
30th	Fred Pouche
31st	Bill Skaggs
32nd	Bonnie Sue Cooper
33rd	Scott Lakin
34th	Greg Canuteson
35th	Luann Ridgeway
36th	Rodger L. Fitzwater
37th	Vernon Thompson
38th	Tim Van Zandt
39th	Annette N. Morgan
40th	Henry C. Rizzo
41st	Fletcher Daniels
42nd	Lloyd Daniel
43rd	Mary Groves Bland
44th	Steve McLuckie
45th	Sandy Kauffman
46th	Thomas J. Hoppe
47th	Pat Kelley
48th	Bill Boucher
49th	Jim Barnes
50th	Carol Jean Mays
51st	Dennis Bonner
52nd	Connie Cierpiot
53rd	Richard (Dick) Franklin
54th	Don Lograsso
55th	Carson Ross
56th	Glenn Hall
57th	O.L. Shelton
58th	Louis H. Ford
59th	Ron Auer
60th	Russell Goward
61st	Paula J. Carter
62nd	Charles Quincy Troupe
63rd	Dorothea Davis
64th	Nancy Farmer
65th	Anthony D. (Tony) Ribaudo
66th	Matt O'Neill
67th	Patrick Dougherty
68th	James (Jim) O'Toole
69th	Dana L. Murray
70th	Russell C. Gunn
71st	Rita Days
72nd	Sheila Lumpe
73rd	Timothy P. Green
74th	Laurie B. Donovan
75th	Mary M. Hagan-Harrell
76th	Lana Stokan
77th	David L. Reynolds
78th	Ron Keeven
79th	Patrick J. O'Connor
80th	John J. Hickey
81st	James Michael Foley
82nd	David L. Levin
83rd	S. Sue Shear

84th	Joan Bray
85th	Christopher A. (Chris) Liese
86th	W. Todd Akin
87th	Raymond W. (Bill) Hand
88th	John Loudon
89th	William (Bill) Linton
90th	Bill Alter
91st	Emmy McClelland
92nd	Brent Evans
93rd	Patricia (Pat) Secrest
94th	Michael R. Gibbons
95th	Jim Murphy
96th	Joseph L. Treadway
97th	Carl H. Hendrickson
98th	May Scheve
99th	Cartherine S. Enz
100th	(Vacancy)
101st	Paul Wieland
102th	David (Dave) Broach
103th	Steve Stoll
104th	Norman Sheldon
105th	Marilyn Edwards
106th	James E. (Jim) Graham
107th	Bob Ward
108th	Brian H. May
109th	John E. Griesheimer
110th	Francis Overschmidt
111th	Jim Froelker
112th	Joe Clay Crum
113th	W. W. (Bill) Gratz
114th	Carl Vogel
115th	Don Steen
116th	Charles Pryor
117th	Paul C. Sombart
118th	Matt Boatright
119th	Delbert L. Scott
120th	Jim Howerton
121st	Deleta Williams
122nd	Dave Oetting
123rd	Ed Hartzler
124th	Vicky Hartzler
125th	Jason Klumb
126th	Martin (Bubs) Hohulin
127th	T. Mark Elliott
128th	Gary Burton
129th	Chuck Surface
130th	Gary Marble
131st	Sam Gaskill
132nd	Linda Bartelsmeyer
133rd	William G. (Bill) Marshall
134th	Norma Champion
135th	Connie Wible Murray
136th	Mike Schilling
137th	Chuck Wooten
138th	Craig Hosmer
139th	Phil Wannenmacher
140th	Charlie Ballard
141st	Doyle Childers
142nd	Jim Kreider
143rd	Estel Robirds
144th	Mary Lou Sallee
145th	Ken Legan
146th	Beth Long
147th	Jim Montgomery
148th	Jim Mitchell
149th	Jerry E. McBride
150th	Ken Fiebelman
151st	Jess Garnett
152nd	Wayne Crump
153rd	Don Koller
154th	Mark L. Richardson
155th	Patrick A. Naeger
156th	Bill I. Foster
157th	David Schwab
158th	Mary C. Kasten
159th	Marilyn Taylor Williams
160th	Joe Heckemeyer
161st	F. E. (Gene) Copeland
162nd	Donald Prost
163rd	Larry Thomason

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 162

Akin	Alter	Auer	Backer	Ballard
Barnes	Barnett 4	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gaw
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

ABSENT WITH LEAVE: 000

VACANCY: 001

RESOLUTIONS

Representative Crump offered House Resolution No. 1.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Eighty-Eighth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 1 was adopted.

Representative Crump offered House Resolution No. 2.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Eighty-Eighth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 2 was adopted.

Representative Fiebelman offered House Resolution No. 3 which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump offered House Resolution No. 4 which was referred to the Committee on Miscellaneous Bills and Resolutions.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and 1,000 copies ordered printed:

HJR 39, introduced by Representative Kauffman, relating to bingo.

HJR 40, introduced by Representatives Rizzo, Koller and Boucher, et al, relating to the executive department.

HJR 41, introduced by Representative Koller, relating to general assembly.

HJR 42, introduced by Representative Hosmer, et al, relating to education.

HJR 43, introduced by Representative Jacob, relating to classification of property for taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 765, introduced by Representative Clayton, relating to the division of workers' compensation.

HB 766, introduced by Representative Clayton, relating to certain telephone emergency service.

HB 767, introduced by Representative Keeven, relating to elections in certain fire protection districts.

HB 768, introduced by Representative Keeven, et al, relating to crimes and punishment.

HB 769, introduced by Representative Keeven, et al, relating to certain public assistancebenefits.

HB 770, introduced by Representative Keeven, et al, relating to controlling health care costs.

HB 771, introduced by Representative Keeven, relating to the custody of certain children.

HB 772, introduced by Representative Cooper, relating to a common language.

HB 773, introduced by Representative Backer, relating to motor vehicles.

HB 774, introduced by Representative Hosmer, relating to certain proceedings in associate circuit courts.

HB 775, introduced by Representative Hosmer, relating to sales of tobacco products.

HB 776, introduced by Representative Hosmer, relating to the department of corrections.

HB 777, introduced by Representative Hosmer, relating to parks and recreation.

HB 778, introduced by Representative Clayton, relating to excursion gambling boats.

HB 779, introduced by Representative Backer, relating to conduct of public business.

HB 780, introduced by Representative Rizzo, et al, relating to prostitution.

HB 781, introduced by Representative Stokan, relating to the care of patients with Alzheimer's disease.

HB 782, introduced by Representative Stokan, relating to certain drivers.

HB 783, introduced by Representative Troupe, et al, relating to insurance companies.

HB 784, introduced by Representative Troupe, et al, relating to insurance companies.

HB 785, introduced by Representative Troupe, relating to certain medical practices.

HB 786, introduced by Representative Rizzo, relating to cable television.

HB 787, introduced by Representative Hosmer, et al, relating to the regulation, registration and licensing of heating/air conditioning businesses.

HB 788, introduced by Representative Canuteson, relating to the immunization of certain children.

HB 789, introduced by Representative Bray, relating to the public service commission.

HB 790, introduced by Representative Fiebelman, relating to school property and equipment.

HB 791, introduced by Representatives Ross and Lograsso, relating to school hearings.

HB 792, introduced by Representative Ross, relating to the termination of parental rights.

HB 794, introduced by Representative Kreider, et al, relating to health care benefits for maternity care.

HB 795, introduced by Representative Boucher, et al, relating to local building codes.

HB 796, introduced by Representative Gratz, relating to mortgages and deeds of trust.

HB 797, introduced by Representative Gratz, relating to fences.

HB 798, introduced by Representative Gratz, relating to the registration of certain paramilitary organizations.

HB 799, introduced by Representative Gratz, relating to bingo.

HB 800, introduced by Representative Schilling, et al, relating to certain offenses against the administration of justice.

HB 801, introduced by Representatives Schilling and Marshall (26), et al, relating to convention and sports complex funding.

HB 802, introduced by Representatives Ross and Lograsso, relating to health and welfare.

HB 803, introduced by Representative Canuteson, relating to interference with the duties of officers of the state board of probation and parole.

HB 804, introduced by Representative Hagan-Harrell, relating to the Missouri kidney health care act.

HB 805, introduced by Representative Hagan-Harrell, relating to certain school districts.

HB 806, introduced by Representative Hagan-Harrell, relating to labeling of pharmaceutical products.

HB 807, introduced by Representative Cooper, relating to health care benefits for maternity care.

HB 808, introduced by Representative Dougherty, relating to public school personnel.

HB 809, introduced by Representative Shields, et al, relating to licensing of certain emergency personnel.

HB 810, introduced by Representative Marshall (26), relating to establishing an intensive livestock agriculture commission.

HB 811, introduced by Representative Smith, relating to anatomical gifts.

HB 812, introduced by Representatives Hosmer and Schilling, relating to certain weapons offenses.

HB 814, introduced by Representative Schwab, relating to motor vehicle operator licenses.

HB 815, introduced by Representative Thomason (163), relating to the publication of certain legislative documents.

HB 816, introduced by Representative Backer, relating to certain telecommunication services for the disabled.

HB 817, introduced by Representative Marble, relating to public safety offenses.

HB 818, introduced by Representative Gaw, relating to witnesses/witness immunity.

HB 819, introduced by Representative Backer, relating to Southern Regional Emergency Management Compact.

HB 820, introduced by Representative Boucher, relating to certain persons with disabilities.

HB 821, introduced by Representative Bonner, relating to the statute of limitations for certain crimes.

HB 822, introduced by Representatives Gratz and Luetkenhaus, et al, relating to the general assembly.

HB 823, introduced by Representative Barnett, relating to conveying certain land of Northwest Missouri State University to the Northwest Foundation, Inc.

HB 824, introduced by Representative Barnett, relating to county planning and zoning.

HB 825, introduced by Representatives Kreider and Hosmer, et al, relating to county officers.

HB 826, introduced by Representative Kreider, et al, relating to cities, towns and villages.

HB 827, introduced by Representative Kreider, et al, relating to powers of boards of fire protection districts.

HB 828, introduced by Representative Kreider, et al, relating to telecommunications for public schools.

HB 829, introduced by Representative Whiteside, et al, relating to certain employees of nursing homes.

HB 830, introduced by Representative Whiteside, et al, relating to the medical expenses of certain prisoners.

HB 831, introduced by Representative Whiteside, et al, relating to the department of health.

HB 832, introduced by Representative Montgomery, et al, relating to certain veterans' cemeteries.

HB 833, introduced by Representative Dougherty, relating to the administration of medication for certain school pupils.

HB 834, introduced by Representative Schilling, et al, relating to liquor control.

HB 835, introduced by Representative Barnes, et al, relating to state buildings.

HB 836, introduced by Representative Barnes, et al, relating to public officers and employees.

HB 837, introduced by Representative Hagan-Harrell, relating to elementary and secondary schools.

HB 838, introduced by Representative Hagan-Harrell, relating to assault.

HB 839, introduced by Representative Luetkenhaus, relating to employers and employees.

HB 840, introduced by Representative Luetkenhaus, relating to motor vehicle traffic regulations.

HB 841, introduced by Representative Kauffman, et al, relating to the operation of motor vehicles.

HB 842, introduced by Representative Kauffman, relating to bingo.

HB 843, introduced by Representative Daniels, relating to required audits of utility billings and practices.

HB 844, introduced by Representatives Auer and Gunn, et al, relating to mutual life insurance companies.

HB 845, introduced by Representatives Morgan and Kauffman, et al, relating to initiative petitions.

HB 846, introduced by Representative Koller, relating to public officers and employees.

HB 847, introduced by Representative Shear, relating to insurance premium reductions.

H**HB 848**, introduced by Representative Shear, relating to certain health care benefits.

HB 849, introduced by Representative Tate, relating to certain merchandising practice for the sale of motor fuel.

HB 850, introduced by Representative Hosmer, relating to certain municipal powers.

HB 851, introduced by Representative Bonner, relating to local school attendance.

HB 852, introduced by Representatives Canuteson and McLuckie, et al, relating to lobby reform and public officials.

HB 853, introduced by Representative Rizzo, et al, relating to landlord and tenant relations.

HB 854, introduced by Representatives Bland, Dougherty, Shear, Schilling, Murphy and Days, relating to certain health care.

HB 855, introduced by Representative Bland, relating to certain child care facilities.

HB 856, introduced by Representative Bland, relating to jury service.

HB 857, introduced by Representative Bland, relating to taxation.

HB 858, introduced by Representative Bland, relating to establishing tax credits for businesses who purchases certain goods and services.

HB 859, introduced by Representative Bland, relating to liquor control.

HB 860 introduced by Representative Bland, relating to academic scholarships for certain motivated and talented students.

HB 861, introduced by Representative Bland, relating to public health.

HB 862, introduced by Representative Bland, relating to human resources.

HB 863, introduced by Representative Bland, relating to certain driving privileges.

HB 864, introduced by Representative Bland, relating to cancellation of insurance policies.

HB 865, introduced by Representative Bland, relating to economic development.

HB 866, introduced by Representative Overschmidt, relating to the Mississippi River Parkway Commission.

HB 867, introduced by Representatives Morgan, Scheve and Boucher, et al, relating to the conduct of elections.

HB 868, introduced by Representative Kreider, relating to real property taxation.

HB 869, introduced by Representative Kreider, relating to landowner liability.

HB 870, introduced by Representative Kreider, relating to administration of estates.

HB 871, introduced by Representative Kreider, relating to financing of school operations.

HB 872, introduced by Representative Kreider, relating to certain traffic regulations.

HB 873, introduced by Representative Kreider, relating to certain health care procedures.

HB 874, introduced by Representative Bray, relating to certain employment rights.

HB 875, introduced by Representative Bray, relating to teachers of the public schools.

HB 876, introduced by Representative Bray, relating to the regulation of certain transportation activities.

HB 877, introduced by Representative Kreider, et al, relating to executions and exemptions.

HB 878, introduced by Representative Kreider, et al, relating to property taxation.

HB 879, introduced by Representatives Kreider and Hosmer, et al, relating to local building codes.

HB 880, introduced by Representative Alter, et al, relating to firearms.

HB 881, introduced by Representative Alter, et al, relating to crimes and punishment.

HB 882, introduced by Representative Alter, et al, relating to the return of property confiscated by law enforcement authorities.

HB 883, introduced by Representative Whiteside, relating to the department of conservation.

HB 884, introduced by Representative Whiteside, relating to a tourism tax in certain counties.

HB 885, introduced by Representative Boucher, relating to merchandising practices.

HB 886, introduced by Representative Hosmer, relating to municipal courts and traffic courts.

HB 887, introduced by Representative Gross, et al, relating to sexual offenses.

HB 888, introduced by Representatives Gross and Kelley (47), relating to firearms and schools.

HB 889, introduced by Representative Troupe, relating to the licensing and regulation of physicians and surgeons.

HB 890, introduced by Representative Troupe, relating to HIV testing.

HB 891, introduced by Representative Childers, relating to traffic regulations.

HB 892, introduced by Representative Champion, relating to disclosures of certain fund-raising costs.

HB 893, introduced by Representative Marshall (133), et al, relating to election offenses.

HB 894, introduced by Representative Bray, et al, relating to human rights.

HB 895, introduced by Representative Ostmann, et al, relating to school bus operator permits.

HB 896, introduced by Representative Shear, relating to physicians and surgeons.

HB 897, introduced by Representative Alter, relating to motor vehicles.

HB 898, introduced by Representatives Smith and Witt, relating to the powers of certain hospitals.

HB 899, introduced by Representative Smith, relating to motor vehicles.

HB 900, introduced by Representative Smith, relating to arrests for certain alcohol related offenses.

HB 901, introduced by Representative Gaw, relating to HIV.

HB 902, introduced by Representatives Lumpe and Kauffman, relating to gender discrimination in public schools.

HB 903, introduced by Representative Chrismer, relating to sales taxation.

HB 904, introduced by Representatives Lakin and Hartzler (123), et al, relating to improving access to immunization for children.

HB 905, introduced by Representatives Rizzo, Koller and Boucher, et al, relating to the creation of a department of aging.

HB 906, introduced by Representatives Rizzo and Skaggs, relating to pawnshops.

HB 907, introduced by Representative O'Connor, relating to preneed funeral contracts.

HB 908, introduced by Representative Thomason (163), relating to motor vehicles.

HB 909, introduced by Representative O'Neill, relating to certain police retirement systems.

HB 910, introduced by Representative Treadway, et al, relating to licensing of funeral directors and embalmers.

HB 911, introduced by Representative Treadway, relating to administrative procedure.

HB 912, introduced by Representative Treadway, relating to mechanic's lien.

HB 913, introduced by Representative Wiggins, relating to flood relief.

HB 914, introduced by Representative Treadway, relating to real estate agents and brokers disclosure.

HB 915, introduced by Representatives Hosmer and Backer, et al, relating to certain state employees.

HB 916, introduced by Representative Hosmer, relating to sales tax exemptions for admission charges to local fairs.

HB 917, introduced by Representatives Hosmer and Kreider, et al, relating to the protection of certain children.

HB 918, introduced by Representative Hosmer, et al, relating to certain institutions of higher education.

HB 919, introduced by Representative Hosmer, et al, relating to certain licensed professionals who are in default on student loans.

HB 920, introduced by Representative Barnett, relating to motor vehicles.

HB 921, introduced by Representative Barnett, relating to motor vehicles.

HB 922, introduced by Representative Thomason (163), relating to certain merchandising practices.

HB 923, introduced by Representative Barnett, relating to probation and parole.

HB 924, introduced by Representatives Canuteson and Skaggs, relating to amusement ride safety.

HB 925, introduced by Representative Jacob, relating to certain liens on real property.

HB 926, introduced by Representative Summers, relating to the rights of certain residents.

HB 927, introduced by Representative Champion, relating to certain contract provisions.

HB 928, introduced by Representative Auer, relating to certain property assessment procedures.

HB 929, introduced by Representative Auer, relating to arbitration.

HB 930, introduced by Representative Auer, relating to insurance regulations.

HB 931, introduced by Representative Bland, relating to consumer choice of health care providers.

HB 932, introduced by Representative Thomason (163), relating to motor vehicles.

HB 933, introduced by Representative Witt, relating to penalties for violation of motor vehicle laws.

HB 934, introduced by Representative Crum, relating to tax relief.

HB 935, introduced by Representative Elliott, relating to crime.

HB 936, introduced by Representatives Van Zandt, Scheve, Boucher, McLuckie and Dougherty, et al, relating to post-delivery care for mothers and newborn infants.

HB 937, introduced by Representative Marshall (26), relating to certain permit fees for outdoor advertising.

HB 938, introduced by Representative Farnen, relating to self-service storage facilities.

HB 939, introduced by Representative Smith, relating to drug regulations.

HB 940, introduced by Representative Smith, relating to certain law enforcement officers.

HB 941, introduced by Representative Smith, relating to trusts and trustees.

HB 942, introduced by Representative Smith, relating to operation of motor vehicles.

HB 943, introduced by Representative Smith, relating to certain property tax statements.

HB 944, introduced by Representative Smith, relating to certain violations of criminal laws.

HB 945, introduced by Representatives Smith and Garnett, relating to environmental protection.

HB 946, introduced by Representative Bartelsmeyer, relating to tobacco.

HB 947, introduced by Representative Gross, et al, relating to certain property tax relief.

HB 948, introduced by Representatives Backer and Gross, relating to the issuance of certain special license plates.

HB 949, introduced by Representative Boucher, relating to the compensation of homeowners for certain reimbursable losses.

HB 950, introduced by Representatives Williams (121), Sallee and Hosmer, relating to operation of motor vehicles.

HB 951, introduced by Representative Crump (152), relating to the patrol.

HB 952, introduced by Representative Crump (152), relating to sales and use tax.

HB 953, introduced by Representative Bray, relating to freedom of expression.

HB 954, introduced by Representative Gaw, relating to the authorization of additional state bonds.

HB 955, introduced by Representative Treadway, relating to the regulation and licensing of respiratory care practitioners.

HB 956, introduced by Representative Van Zandt, relating to certain municipalities.

HB 957, introduced by Representative McBride, relating to higher education.

HB 958, introduced by Representative Stoll, relating to regulation and registration of interior designers.

HB 959, introduced by Representative Bonner, relating to environmental control.

HB 960, introduced by Representatives Thomason (163) and Rizzo, relating to large-scale economic development project

HB 961, introduced by Representative Boucher, relating to the elders volunteer for elders project.

HB 962, introduced by Representative Lumpe, et al, relating to the valuation and taxation of certain property.

.**HB 963**, introduced by Representative Dougherty, relating to public utility and natural gas safety.

HB 964, introduced by Representative Dougherty, relating to public service commission.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has offered and adopted the following resolution:

SENATE RESOLUTION NO. 711

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate of the Second Regular Session of the Eighty-eighth General Assembly is duly convened and is now in session and ready for consideration of business.

WITHDRAWAL OF HOUSE JOINT RESOLUTIONS

December 13, 1995

Douglas W. Burnett, Chief Clerk

Missouri House of Representatives

Room 306C, State Capitol

Jefferson City, MO 65101

Dear Doug:

I am requesting that **HJR 37** be withdrawn due to errors in the language of this bill.

Thanks for your cooperation in this matter.

Respectfully submitted,

/s/ Henry C. Rizzo

District 40

December 19, 1995

The Honorable Bob Griffin, Speaker

Missouri House of Representatives

State Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to withdraw **House Joint Resolution 38**.

Respectfully submitted,

/s/ Don Koller

First Day-Wednesday, January 3, 1996

WITHDRAWAL OF HOUSE BILLS

January 3, 1996

Mr. Doug Burnett

Chief Clerk

Capitol Building

Room 306C

Jefferson City, MO 65101

Dear Doug:

I request **HB 793** "Proof of Insurance" to be withdrawn. This bill was filed with your office November 29, 1995.

Respectfully submitted,

/s/ Carson Ross

District 55

January 2, 1996

Mr. Doug Burnett

Chief Clerk

House of Representatives

Jefferson City, MO 65101

Dear Mr. Burnett:

I would like to request that **House Bill 813** be withdrawn. I appreciate your assistance with this matter.

Respectfully submitted,

/s/ Larry Thomason

First Day-Wednesday, January 3, 1996

LETTER OF RESIGNATION

December 16, 1995

Governor Mel Carnahan

Governor's Office

State Capitol

Jefferson City, MO 65101

Re: Resignation of office as Member of the Missouri General Assembly; 100th District

Dear Governor Carnahan:

Pursuant to the Missouri State Constitution I hereby serve notice upon your office of my intent to resign my position in the General Assembly as a member of the House of Representatives, 100th District.

As you are aware, I have accepted an appointment by the 21st Judicial Circuit to the Family Court as a Commissioner. I have advised the Court that I will take my Oath of office on December 16, 1995 at 12:01 p.m.

Therefore, please accept this letter of resignation effective as of 12:00, noon, Saturday, December 16, 1995. I would ask that your office provide proper notice to all other parties necessary to make this resignation complete and final.

Thank you for your anticipated cooperation.

Respectfully submitted,

/s/ M. Zane Yates

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 4, 1996.

First Day-Wednesday, January 3, 1996

HOUSE CALENDAR

SECOND-DAY, THURSDAY, JANUARY 4, 1996

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 39 through HJR 43

HOUSE BILLS FOR SECOND READING

HB 765 through HB 964

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Who is your Representative?
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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SECOND DAY, Thursday, January 4, 1996

Speaker Griffin in the Chair.

Prayer by Rev. Cheryl L. Tatham.

As the hours tick by, O God of Past, Present and Future, we enter this new year with all its risks and possibilities.

You have, throughout the centuries, given us strong leadership-- leadership with commitment, leadership with courage, leadership with vision. In these uncertain days, we trust you to bring to the forefront such leaders once again.

Inscribed in this state's capitol are the words, "Where there is no vision, the people perish." Let not the people of this great state perish for our lack of vision.

On this day when patience is tested and spirits sag, we entrust the proceedings of this House to your guidance and these present here and their families to your providential care. Amen.

The Pledge of Allegiance to the flag was recited.

Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Ann Adkens.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 158

Akin	Alter	Auer	Backer	Ballard
Barnes	Barnett 4	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gaskill	Gaw	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	
Hendrickson				

Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Pryor
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

ABSENT WITH LEAVE: 004

Cooper	Garnett	Kissell	Prost

VACANCY: 001

RESOLUTIONS

Representative Hartzler (124) offered House Resolution No. 5, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution No. 6, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 7, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 39 through **HJR 43** were read the second time.

SECOND READING OF HOUSE BILLS

HB 765 through **HB 792**, **HB 794** through **HB 812** and **HB 814** through **HB 964** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 44, introduced by Representative Dougherty, relating to the bill of rights.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 965, introduced by Representatives Champion and Long, et al, relating to state income taxes.

HB 966, introduced by Representatives Dougherty and Canuteson, relating to the immunization of certain children.

HB 967, introduced by Representative Stoll, relating to professional registration.

HB 968, introduced by Representative Lakin, relating to transfers to the capital projects fund.

HB 969, introduced by Representative Fiebelman, relating to income taxation.

HB 970, introduced by Representative Linton, relating to education.

HB 971, introduced by Representative Linton, relating to the powers of local school boards.

HB 972, introduced by Representative Linton, relating to certain public school records.

HB 973, introduced by Representative Linton, relating to public school programs.

HB 974, introduced by Representative Gaw, et al, relating to sex offenders.

HB 975, introduced by Representative Elliott, relating to assault.

HB 976, introduced by Representatives Thomason (163) and Lumpe, relating to motor vehicle records.

HB 977, introduced by Representative Heckemeyer, relating to administrative actions.

HB 978, introduced by Representative Bonner, relating to excursion boat gambling.

HB 979, introduced by Representative Crump, relating to preserving valid covenants and easements upon real property after certain sales of land.

HB 980, introduced by Representative Farnen, relating to curators' attendance at board meetings.

HB 981, introduced by Representatives Auer and Reynolds, relating to case managers offering peripregnancy care options.

HB 982, introduced by Representative Auer, relating to establishing direct patient access to primary eye care providers.

HB 983, introduced by Representative Auer, et al, relating to the Missouri property and casualty insurance guaranty association.

HB 984, introduced by Representative Franklin, et al, relating to motor vehicles.

HB 985, introduced by Representative Franklin, et al, relating to the official language of the state.

HB 986, introduced by Representative Luetkenhaus, relating to school bus operator permits.

HB 987, introduced by Representative Luetkenhaus, relating to income tax.

HB 988, introduced by Representative Williams (159), relating to the making of a false bomb report.

HB 989, introduced by Representative Rizzo, relating to storage tanks.

HB 990, introduced by Representative Rizzo, relating to physician assistants.

HB 991, introduced by Representative Koller, relating to motor carriers.

HB 992, introduced by Representatives Gaw, Hosmer and Dougherty, relating to uniform enforcement of support laws.

HB 993, introduced by Representative Williams (121), relating to motor vehicle safety requirements.

HB 994, introduced by Representative Kelly (27) and Crum (112), relating to taxation.

HB 995, introduced by Representative Dougherty, relating to fuel conservation.

HB 996, introduced by Representative Dougherty, et al, relating to the establishment of caseload standards for certain employees of the department of social services.

HB 997, introduced by Representative Shear, relating to the department of health.

HB 998, introduced by Representative Treadway, relating to manufactured homes.

HB 999, introduced by Representative Treadway, relating to certain professions licensed or regulated by the board of registration for the healing arts.

HB 1000, introduced by Representative Treadway, relating to architects, professional engineers and professional land surveyors.

HB 1026, introduced by Representative Carter, relating to the department of mental health.

HB 1027, introduced by Representative Goward, relating to the board of police in certain cities.

HB 1028, introduced by Representative Summers, relating to assault.

HB 1029, introduced by Representative Reynolds, relating to county assessment of real property.

HB 1030, introduced by Representative Robirds, et al, relating to certain civil actions against psychotherapists.

WITHDRAWALS OF HOUSE BILLS

TO: Doug Burnett
FROM: Rep. Linda Bartelsmeyer
DATE: January 3, 1996
SUBJECT: Request for Withdrawal of House Bill 946

I am requesting the withdrawal of my previously filed **House Bill 946** concerning sale of tobacco products to minors. The Legislative Research number is 2621.02. This bill was prefiled on December 28, 1995.

January 4, 1996

Mrs. Joan Branson

Asst. Chief Clerk

House of Representatives

Capitol Bldg.

Jefferson City, MO 65101

Dear Mrs. Branson:

This will inform you that I wish to withdraw **House Bill No. 790.**

Respectfully submitted,

\s\ Ken Fiebelman

The following members' presence were noted: Representatives Garnett and Prost.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 4:00 p.m., Monday, January 8, 1996.

COMMITTEE MEETINGS

BUDGET

Tuesday, January 9, 1996, 8:30 am. Hearing Room 9. COMAP presentation.

BUDGET

Wednesday, January 10, 1996, 2:00 pm. Hearing Room 9. Caring communities.

presentation.

WAYS AND MEANS

Tuesday, January 9, 1996, 3:00 pm. Hearing Rooms 1 and 2. Organizational.

meeting.

HOUSE CALENDAR

THIRD-DAY, MONDAY, JANUARY 8, 1996

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 44

HOUSE BILLS FOR SECOND READING

HB 965 through 1000

HB 1026 through 1030

House Journal

Second Regular Session, 88th General Assembly

THIRD DAY, Monday, January 8, 1996

Speaker Griffin in the Chair.

Prayer by Father Hugh Behan.

"God finished his work and rested on the seventh day." (Gen. 2:2).

Today we face a near record-breaking storm on the East Coast, the nation's government is still partially shut-down and we are still focused on the leadership of the House.

Eternal Father, help us to recognize that in times of change there is uncertainty as we face the unknown and we put forward what we believe is right or think we want. Politics has become a dirty word in so much of our speech, but mixed in with the unsavory, are the things that are most important to us, our core values and our ideology as we seek a program to put flesh on that vision. Excuse our messy process Lord, as we thank you for the privilege that is ours, to exercise our rights as free citizens and create differences in the system here and in Congress, knowing that not even a major reform, and no change of personnel is a guarantee of trouble-free operation from this time out. The "Pardon Our Mess While We Make Improvements" sign is always going to be up in a free society. There is no final seventh day of complete rest for us mortals, only temporary breaks in the schedule. Amen.

The Pledge of Allegiance to the flag was recited.

Speaker Griffin appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nicholas Hartzler, Hollyce Hartzler and William Hartzler.

ELECTION OF SPEAKER OF THE HOUSE

Representative Crump moved that nominations for Speaker of the House be held and that they serve for the remainder of the session and be elected by roll call vote. Representatives voting Democrat will vote green and Representatives voting Republican will vote red, and that the board be held open for fifteen minutes.

Which motion was adopted.

Representative Copeland nominated Representative Sam Leake as the Democrat nominee for Speaker of the House.

Representative Lumpe seconded the nomination.

Representative Harlan nominated Representative Mark Richardson as the Republican nominee for Speaker of the House.

Representative Van Zandt seconded the nomination.

AYES: 071

Auer	Backer	Boucher	Bray	Canuteson
Clayton	Copeland	Crum 112	Crump 152	Davis
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Garnett	Gaw	Gratz
Green	Hagan-Harrell	Harlan	Heckemeyer	Hickey
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Montgomery	Morgan	Murray 69
O'Connor	O'Neill	O'Toole	Overschmidt	Pauley
Prost	Reynolds	Rizzo	Scheve	Schilling
Sears 1	Shear 83	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Treadway	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 076

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Bonner	Broach	Brown	Burton
Champion 41	Childers	Chrismer	Cooper	Daniels
Donovan	Edwards	Elliott	Evans	Ford
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer 123	Gross	Hall	Hand	Hartzler
Hartzler 124	Hegeman	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	McClelland	Mitchell	Murphy	Murray 135
Naeger	Nordwald	Oetting	Ostmann	Pouche
Pryor	Ribaudo	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Sheldon 104	Shields	Sombart	Steen	Summers

Surface Vogel Wannenmacher Whiteside Wieland

Wooten

PRESENT: 011

Barnes Bland Carter Daniel 42 Days
Goward Gunn Hoppe Shelton 57 Thompson
37

Troupe

ABSENT WITH LEAVE: 004

Boatright Cierpiot Enz Hendrickson

VACANCY: 001

The Speaker declared that by the roll call vote, neither candidate received a majority of those Members voting.

On motion of Representative Crump, the House recessed until 5:30 p.m.

The hour of recess having expired, the House was called to order by the Speaker.

RESOLUTIONS

Representative Klumb offered House Resolution No. 8, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 9, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lograsso offered House Resolution No. 10.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 44 was read the second time.

SECOND READING OF HOUSE BILLS

HB 965 through **HB 996**, **HB 998** through **HB 1000,** and **HB 1026** through **HB 1030** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1031, introduced by Representative Hosmer, relating to tax relief.

HB 1032, introduced by Representative Bennett (15), et al, relating to tobacco merchandising.

HB 1033, introduced by Representative Cierpiot, et al, relating to certain police retirement systems.

HB 1034, introduced by Representative Cierpiot, et al, relating to motor vehicle traffic violation penalties.

HB 1035, introduced by Representative Dougherty, relating to the certification of certain persons who use ionizing radiation technology.

HB 1036, introduced by Representative Dougherty, relating to breast feeding.

HB 1037, introduced by Representative Rizzo, et al, relating to low income elementary and secondary school students.

HB 1038, introduced by Representative Bonner, relating to advertising of excursion boat gambling.

HB 1039, introduced by Representative Mitchell, relating to elementary and secondary schools.

HB 1040, introduced by Representative Schilling, relating to natural resources.

WITHDRAWAL OF HOUSE BILL

January 8, 1996

Douglas Burnett, Chief Clerk

Missouri House of Representatives

Capitol Building

Jefferson City, MO 65101

Dear Mr. Burnett:

I would like to withdraw **House Bill 997.**

Sincerely,

/s/ S. Sue Shear

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Tuesday, January 9, 1996.

COMMITTEE MEETINGS

BUDGET

Tuesday, January 9, 1996, 8:30 am. Hearing Room 9. COMAP presentation.

BUDGET

Wednesday, January 10, 1996, 2:00 pm. Hearing Room 9. Caring communities presentation.

WAYS AND MEANS

Tuesday, January 9, 1996, 3:00 pm. Hearing Rooms 1 and 2. Organizational meeting.

HOUSE CALENDAR

FOURTH DAY, TUESDAY, JANUARY 9, 1996

HOUSE BILLS FOR SECOND READING

HB 1031 through 1040

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Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

FOURTH DAY, Tuesday, January 9, 1996

Speaker Griffin in the Chair.

Prayer by Father Hugh Behan.

"A light that shines in the dark, a light that darkness could not overpower." (Jn. 1:5).

At this time of year, the Jewish and Christian faiths have just celebrated the beginning of the return of light with special religious meaning, building on the earth's natural rhythm at the mid-winter solstice.

It is a time to celebrate life and hope and to once again claim the fragile bonds that bind us together as human family under you, the one eternal God. As the Jewish rabbi said at the Governor's prayer breakfast, each soul is connected to every other soul. Too often today we see collections of special interest groups or coalitions seeking something for just ourselves, or for me, instead of looking to the common good and what is best for all. We are family despite what labels and tribal war-cries do to keep us at war with the others. Amen.

The Pledge of Allegiance to the flag was recited.

RESOLUTIONS

Representative Scheve offered House Resolution No. 11, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 12, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 13, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griffin, joined by the entire House membership offered House Resolution No. 14, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Rizzo offered House Resolution No. 15, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 16, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griesheimer offered House Resolution No. 17.

Representative Bartelsmeyer offered House Resolution No. 18.

Representative Vogel offered House Resolution No. 19.

Representative Surface offered House Resolution No. 20.

Representatives Elliott and Kauffman offered House Resolution No. 21.

Representative Shields offered House Resolution No. 22.

Representative Howerton offered House Resolution No. 23.

Representative Whiteside offered House Resolution No. 24.

Representative Mitchell offered House Resolution No. 25.

Representative Hohulin offered House Resolution No. 26.

Representative Graham offered House Resolution No. 27.

Representative Long offered House Resolution No. 28.

Representative Foster offered House Resolution No. 29.

Representative Evans offered House Resolution No. 30.

Representative Scott offered House Resolution No. 31.

Representative Enz offered House Resolution No. 32.

Representative Froelker offered House Resolution No. 33.

Representative Hendrickson offered House Resolution No. 34.

Representative Robirds offered House Resolution No. 35.

Representative Marshall (133) offered House Resolution No. 36.

Representative Nordwald offered House Resolution No. 37.

Representative Bennett offered House Resolution No. 38.

Representative Schwab offered House Resolution No. 39.

Representative Wannenmacher offered House Resolution No. 40.

Representative Chrismer offered House Resolution No. 41.

Representative Cierpiot offered House Resolution No. 42.

Representative Summers offered House Resolution No. 43.

Representative Ridgeway offered House Resolution No. 44.

Representative Pryor offered House Resolution No. 45.

Representative Barnett offered House Resolution No. 46.

Representative Wieland offered House Resolution No. 47.

Representative Hegeman offered House Resolution No. 48.

Representative Loudon offered House Resolution No. 49.

Representative Hartzler (124)\ offered House Resolution No. 50.

Representative Steen offered House Resolution No. 51.

Representative Childers offered House Resolution No. 52.

Representative Levin offered House Resolution No. 53.

Representative Gibbons offered House Resolution No. 54.

Representative Keeven offered House Resolution No. 55.

Representative Secrest offered House Resolution No. 56.

Representative Champion offered House Resolution No. 57.

Representative Hall offered House Resolution No. 58.

Representative Pouche offered House Resolution No. 59.

Representative Naeger offered House Resolution No. 60.

Representative Broach offered House Resolution No. 61.

Representative Edwards-Pavia offered House Resolution No. 62.

Representative Gross offered House Resolution No. 63.

Representative Alter offered House Resolution No. 64.

Representative Marble offered House Resolution No. 65.

Representative Kasten offered House Resolution No. 66.

Representative Ballard offered House Resolution No. 67.

Representative Sallee offered House Resolution No. 68.

Representative Legan offered House Resolution No. 69.

Representative Ostmann offered House Resolution No. 70.

Representative Hartzler (123) offered House Resolution No. 71.

Representative Gaskill offered House Resolution No. 72.

Representative Sombart offered House Resolution No. 73.

On motion of Representative Crump, the House recessed until 4:00 p.m.

The hour of recess having expired, the House was called to order by Speaker Griffin.

Representative Crump suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 162

Akin	Alter	Auer	Backer	Ballard
Barnes	Barnett 4	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gaw
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

ABSENT WITH LEAVE: 000

VACANCY: 001

SECOND READING OF HOUSE BILLS

HB 1031 through **HB 1040** were read the second time.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 45, introduced by Representative Kreider, relating to limitation of the power of the general assembly.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1041, introduced by Representative McBride, relating to lands of the state conservation commission.

HB 1042, introduced by Representative Luetkenhaus, relating to certain medical procedures.

HB 1043, introduced by Representative Marshall (133), relating to the state oil and gas council.

HB 1044, introduced by Representative Montgomery, et al, relating to adoption records.

HB 1045, introduced by Representative Brown, relating to certain gambling activities.

HB 1046, introduced by Representative Shear, relating to certain child care facilities.

HB 1047, introduced by Representatives Thomason (163) and Prost, relating to the operation of motor vehicles.

HB 1048, introduced by Representative Cierpiot, et al, relating to crime.

HB 1049, introduced by Representative Backer, relating to the removal of officers in cities of the fourth classification.

HB 1050, introduced by Representative Witt, relating to the attorney general.

HB 1051, introduced by Representatives Long and Oetting, relating to county government.

On motion of Representative Crump, the House adjourned until 2:00 p.m., Wednesday, January 10, 1996.

HOUSE CALENDAR

FIFTH DAY, WEDNESDAY JANUARY 10, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 45

HOUSE BILLS FOR SECOND READING

HB 1041 through 1051

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Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

FIFTH DAY, Wednesday, January 10, 1996

Speaker Griffin in the Chair.

Prayer by Rev. Cheryl L. Tatham.

In the midst of the complicated situations of life and the unsolved problems of this world, deliver us, God, for a sense of futility. Let your servants feel the support of the people they serve and let them feel the encouragement of friends and family. Remind us all that your power has never been obstructed by difficulties nor is your love limited by our confusion.

As we draw on our limited resources of knowledge and wisdom may we be propelled toward dependence upon you.

Save these who serve here from the tyranny of the nonessential, from the weary rounds of debate which sap strength and energy, and let them concentrate and devote themselves to the important issues before this body. May their decisions be guided by a self-less acknowledgment of their accountability to the people of this state and to you. Amen.

The Pledge of Allegiance to the flag was recited.

Speaker Griffin appointed the following to act as Honorary Page for the Day, to serve without compensation: Eugene Stroud III.

ELECTION OF SPEAKER OF THE HOUSE

Representative Crump moved that nominations for Speaker of the House be held and that they serve for the remainder of the session and be elected by roll call vote. Representatives voting Democrat will vote green and Representatives voting Republican will vote red, and that the board be held open no longer than fifteen minutes.

Which motion was adopted.

Representative Copeland nominated Representative Gaw as the Democrat nominee for Speaker of the House.

Representative Shelton (57) seconded the nomination.

Representative Scott nominated Representative Mark Richardson as the Republican nominee for Speaker of the House.

Representative Legan seconded the nomination.

Speaker Griffin requested that a green vote be cast for Representative Gaw and that a red vote be cast for Representative Richardson.

AYES: 086

Auer	Backer	Barnes	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin

Garnett	Gaw	Goward	Gratz	Green
Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hickey
Hoppe	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Liese	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	Overschmidt
Pauley	Prost	Reynolds	Ribaudo	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Troupe	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 075

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	McClelland	Mitchell	Murphy
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

PRESENT: 001

Treadway

ABSENT WITH LEAVE: 000

VACANCY: 001

Speaker Griffin declared that by roll call vote, Representative Steve Gaw was elected as Speaker of the House.

The following committee was appointed to escort Representative Gaw to the dais: Representatives Copeland, Shelton (57), Days, Luetkenhaus, Carter, Barnes, Lumpe, Troupe, Gratz, Crump, Dougherty, Auer, O'Conner, Leake and Skaggs.

Fifth Day-Wednesday, January 10, 1996

LETTER OF RESIGNATION

January 10, 1996

Speaker Bob F. Griffin

Missouri House of Representatives

The Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

The events of the last week have prompted many of us in the Missouri House of Representatives to deeply reflect on ways to resolve the political impasse that has paralyzed this body. The difficulties in trying to restructure our leadership, combined with deep political divisions within the House, have resulted in a discord heretofore unseen by our body.

During this crisis, I have been the subject of much of the political speculation and I am pained by critics who believe that I do not have the best interests of this institution at heart. I am proud of the contribution I have made to this body and to the people of the state of Missouri. I have only the highest respect for this body, its members and the work we do in the chamber.

Due to my deep respect for this body and the people who serve here, today I am resigning as Speaker Pro Tem of the Missouri House of Representatives. I hope this action will encourage compromise and provide the necessary incentive for the House to select its new leadership. This has been an intensely personal decision made free of any outside influence.

I sincerely appreciate the support all of you have given me during my tenure as Speaker Pro Tem. The confidence that many of you have expressed publicly for me during recent days, particularly those who believed that I would have been an effective Speaker of the House, has been especially gratifying. However, I

feel that my resignation will provide more opportunities to resolve this impasse.

I have sincerely enjoyed working with all of you during my service as Speaker Pro Tem of this body and I look forward to working with the new leadership as a House member for the remainder of the 88th Missouri General Assembly. My thoughts and prayers are with those who take over the reins and lead the House into the new century.

Respectfully submitted,

/s/ Speaker Pro Tem Jim Barnes

Representative Crump moved that nominations for Speaker Pro Tem of the House be held and that they serve for the remainder of the session and be elected by roll call vote. Representatives voting Democrat will vote green and Representatives voting Republican will vote red, and that the board be held open no longer than fifteen minutes.

Which motion was adopted.

Representative Carter nominated Representative Fletcher Daniels as the Democrat nominee for Speaker Pro Tem of the House.

Representative Gaw seconded the nomination.

Representative Scott nominated Representative Mark Richardson as the Republican nominee for Speaker Pro Tem of the House.

Representative Lograsso seconded the nomination.

Speaker Griffin requested that a green vote be cast for Representative Daniels and that a red vote be cast for Representative Richardson.

AYES: 086

Auer	Backer	Barnes	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Gaw	Goward	Gratz	Green
Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hickey
Hoppe	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Liese	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	Overschmidt
Pauley	Prost	Reynolds	Ribaudo	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Troupe	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 075

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	McClelland	Mitchell	Murphy
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

PRESENT: 001

Treadway

ABSENT WITH LEAVE: 000

VACANCY: 001

Speaker Griffin ruled Representative Daniels elected as Speaker Pro Tem of the House.

The following committee was appointed to escort Representative Daniels to the dais: Representatives Carter, Gaw, Bland, Sheldon (104), Lumpe, Daniel, Leake, O'Connor, Auer, Bonner, Ribaudo, Barnes, Thompson, Mays (50), Backer, Crump, Ford, Goward and Morgan.

Fifth Day-Wednesday, January 10, 1996

LETTER OF RESIGNATION

January 10, 1996

Chief Clerk Doug Burnett and

the Members of the Missouri House of Representatives

House Post Office

State Capitol

Jefferson City, MO 65101

Dear Chief Clerk Burnett and Members of the Missouri House of Representatives:

Please be advised that I hereby submit my resignation as Speaker of the Missouri House of Representatives upon the successful election of a candidate to assume the position of Speaker of the Missouri House of Representatives.

Respectfully submitted,

\s\ BOB F. GRIFFIN

SPEAKER

OATHS OF OFFICE

Representative Gaw subscribed to the oath of office which was administered by Honorable Ronnie White, Justice of the Missouri Supreme Court.

Representative Daniels subscribed to the oath of office which was administered by Honorable Ronnie White, Justice of the Missouri Supreme Court.

Speaker Gaw assumed the Chair.

APPROVAL OF THE JOURNAL

Representative Crump moved that the Journal for the first day be approved as printed.

Representative Lograsso requested a correction of the Journal because the three written motions pursuant to Article 3, Section 26, which were filed with the Chief Clerk, did not appear in the Journal.

Representative Ribaudo raised a point of order stating that nothing in the rules requires that written material filed with the Chief Clerk must be printed in the Journal.

The Chair ruled the point of order well taken.

On motion of Representative Crump, the Journal for the first day was approved as printed.

Representative Crump moved that the Journals for the second and third day be approved as printed.

Representative Lograsso requested a correction of the Journals because the three written motions pursuant to Article 3, Section 26, which were filed with the Chief Clerk, did not appear in the Journal.

Representative Witt raised a point of order stating that the Gentleman's motion was a motion never recognized on the floor and is out of order.

The Chair ruled the point of order well taken.

On motion of Representative Crump, Journals for the second and third day were approved as printed by the following vote:

AYES: 087

Auer	Backer	Barnes	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Goward	Gratz	Green	Griffin
Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hickey
Hoppe	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Liese	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	

Overschmidt				
Pauley	Prost	Reynolds	Ribaudo	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Ward	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 075

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer 123	Gross	Hall	Hand	Hartzler
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	McClelland	Mitchell	Murphy
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 000

VACANCY: 001

Representative Crump moved that the Journal for the fourth day be approved as printed.

Representative Lograsso requested a correction of the Journal because the three written motions pursuant to Article 3, Section 26, which were filed with the Chief Clerk, did not appear in the Journal.

The Speaker said the correction was not in order.

On motion of Representative Crump, the Journal for the fourth day was approved as printed by the following vote:

AYES: 085

Auer	Backer	Barnes	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Goward	Gratz	Green	Griffin
Gunn	Harlan	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Montgomery	Morgan	Murray 69
O'Connor	O'Neill	O'Toole	Overschmidt	Pauley
Prost	Reynolds	Ribaudo	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Ward
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 075

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer 123	Gross	Hall	Hand	Hartzler
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	McClelland	Mitchell	Murphy
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface

Vogel Wannenmacher Whiteside Wieland Wooten

PRESENT: 000

ABSENT WITH LEAVE: 002

Hagan-Harrell Thompson 37

VACANCY: 001

HOUSE CONCURRENT RESOLUTION

Representative Crump offered House Concurrent Resolution No. 1.

HOUSE CONCURRENT RESOLUTION NO. 1

BE IT RESOLVED, by the House of Representatives of the Eighty-Eighth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Thursday, January 11, 1996, to receive a message from His Honor, John C. Holstein, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform His Honor that the House of Representatives and Senate of the Eighty-Eighth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Crump, Rule 63 was suspended and House Concurrent Resolution No. 1 was adopted.

RESOLUTIONS

Representative Smith offered House Resolution No. 74, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 75, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Tatum-Brown offered House Resolution No. 76.

Representative Pryor offered House Resolution No. 77, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Richardson And Foster offered House Resolution No. 78, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 79, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 80, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 81, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE RESOLUTION

Representative Crump offered House Resolution No. 82.

HOUSE RESOLUTION NO. 82

BE IT RESOLVED, that the Chief Clerk of the House of Representatives is hereby instructed to inform the Senate that the House of Representatives is now duly organized with the following officers, to wit:

Speaker
.....
Steveo
Gaw

Speaker Pro Tem ..... Fletcher Daniels

Chief Clerk ..... Douglas Burnett

Doorkeeper .....Carl Strader

Sergeant-at- Arms.....Larry Walker

Chaplain.....Fr. Hugh Behan

On motion of Representative Crump, Rule 63 was suspended and House Resolution No. 82 was adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 45 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1041 through **HB 1051** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1052, introduced by Representative Reynolds, relating to school age children's health.

HB 1053, introduced by Representatives Dougherty and Gunn, et al, relating to environmental protection.

HB 1054, introduced by Representative Sears, relating to weed removal in certain cities.

HB 1055, introduced by Representative Overschmidt, relating to public assistance benefits.

HB 1056, introduced by Representative May, et al, relating to juvenile offenders.

HB 1057, introduced by Representative Long, relating to motor vehicle financial responsibility requirements.

HB 1058, introduced by Representative Surface, relating to the general assembly.

HB 1059, introduced by Representative Gunn, relating to insurance companies.

HB 1060, introduced by Representative Gunn, relating to suicide provisions in certain life insurance contracts.

HB 1061, introduced by Representative Gunn, relating to sales and use tax.

HB 1062, introduced by Representative Gunn, relating to investments of insurance companies.

HB 1063, introduced by Representative Bonner, relating to income tax.

HB 1064, introduced by Representative Sears, relating to state courts.

HB 1065, introduced by Representative Hagan-Harrell, relating to the Missouri kidney health care act.

HB 1066, introduced by Representative Hagan-Harrell, relating to health care benefits for prescription medication.

HB 1067, introduced by Representative Hagan-Harrell, relating to motor vehicle traffic regulations.

HB 1068, introduced by Representative Edwards-Pavia, relating to tax increment financing.

HB 1069, introduced by Representatives Kelly (27), Kreider, Witt, Ostmann and Days, relating to insurance .

HB 1070, introduced by Representative Treadway, relating to the regulation of certain telecommunications and information technology systems.

HB 1071, introduced by Representative Cierpiot, et al, relating to employment.

HB 1072, introduced by Representative Heckemeyer, relating to teaching certificates.

HB 1073, introduced by Representative Elliott, relating to inmates.

HB 1074, introduced by Representative Rizzo, relating to insurance agents' license fees.

HB 1075, introduced by Representative Childers, relating to the prevailing wage law.

HB 1076, introduced by Representatives Childers and Hosmer, relating to public holidays.

HB 1077, introduced by Representatives Troupe and Childers, relating to certain pharmacy practices.

HB 1078, introduced by Representative Edwards-Pavia, et al, relating to motor vehicles.

HB 1079, introduced by Representatives Auer and O'Neill, relating to pilot program of scholarships for education purposes.

WITHDRAWAL OF HOUSE BILL

January 10, 1996

Douglas Burnett

Chief Clerk

Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Doug:

This will inform you that I wish to withdraw **House Bill 804**. Thank you for your assistance with this matter.

Respectfully submitted,

\s\ Mary Hagan-Harrell

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, January 11, 1996.

COMMITTEE MEETINGS

EDUCATION - HIGHER

Wednesday, January 10, 1996, 12:00 pm. Hearing Room 8. Coordinating

Board for Higher Education on planning and technical education.

HOUSE CALENDAR

SIXTH DAY, THURSDAY, JANUARY 11, 1996

HOUSE BILLS FOR SECOND READING

HB 1052 through 1078

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SIXTH DAY, Thursday, January 11, 1996

Speaker Gaw in the Chair.

Prayer by Rev. Cheryl L. Tatham.

This is a new day, Gracious God of Life, full of promises and possibilities. As we reflect on days past, we ask your forgiveness for words spoken in anger and frustration. We give thanks for Representatives Griffin and Barnes who served their offices with fortitude in the face of good days and bad. Bless them in their service completed. We thank you for Representatives Gaw and Daniels who bring to this House new enthusiasm and experienced wisdom. Give them strength and guidance for the journey through the days ahead.

Protect and direct these servants of the people, O Lord, as they look toward the future with anticipation of great accomplishment. Reassure them that you are a great and loving God, ever watchful over your creation. Bless them as they return to their homes and their families this weekend and give them rest and refreshment for their bodies and their spirits, and may they return to this place with renewed commitment and courage.

We lift our prayers to you for those struggling with illness or grief, especially for Logan Crump, 4 month old son of Rep. Wayne Crump, as he fights respiratory problems. Support him and his parents, Wayne and Tiffany, with your healing touch.

Hear our prayers, O Lord. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	
Griesheimer				
Griffin	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	
Heckemeyer				
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Lakin	Leake	Legan	Levin	Liese

Linton	Lograsso	Long	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Pryor	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton
57				
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason
163				
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr.
Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Copeland	Crump 152	Elliott	Ford
Hohulin	Kreider	Loudon	Lumpe	O'Neill
Scheve	Steen			

VACANCY: 001

RESOLUTIONS

Representative McClelland offered House Resolution No. 83, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 84, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 85, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bonner offered House Resolution Nos. 86 through 90 , which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 91, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 92, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mitchell offered House Resolution No. 93, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 94, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1052 through **HB 1079** were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 1**: Senators House, Caskey, Ehlmann, Kinder, Klarich, Maxwell, Melton, Moseley, Schneider and Wiggins.

ESCORT COMMITTEE

The Speaker appointed the following committee to meet with a like committee from the Senate to wait upon Chief Justice John C. Holstein of the Missouri Supreme Court: Representatives Witt, Harlan, Hosmer, Smith, Days, May (108), Murray (135), Ridgeway, Gibbons, Richardson and Naeger.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Wilson, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present.

AYES: 029

Banks	Bentley	Caskey	Clay	Curls
DePasco	Ehlmann	Flotron	Graves	House
Howard	Johnson	Kenney	Kinder	Klarich
Lybyer	Mathewson	Maxwell	McKenna	Moseley
Mueller	Rohrbach	Schneider	Sims	Singleton
Staples	Treppler	Westfall	Wiggins	

NOES: 000

ABSENT WITH LEAVE: 004

Goode	Melton	Russell	Scott

ABSENT: 001

Quick

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 001

Wiggins

NOES: 000

PRESENT: 132

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Ford	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Griffin	Gross	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Lakin	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Pryor	Reynolds	Richardson
Ridgeway	Robirds	Ross	Sallee	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Tate
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Williams 121	Williams 159
Witt	Mr. Speaker			

ABSENT WITH LEAVE: 029

Barnes	Bland	Childers	Copeland	Crump 152
Daniel 42	Elliott	Foley	Franklin	Goward
Gunn	Hagan-Harrell	Koller	Kreider	Leake
Lumpe	Marble	Murphy	O'Neill	O'Toole
Prost	Ribaudo	Rizzo	Scheve	Sheldon 104
Surface	Thomason 163	Ward	Wooten	

VACANCY: 001

The Doorkeeper announced the approach of the Chief Justice of the Supreme Court, Honorable John C. Holstein. The Chief Justice was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the assembly in the Joint Session.

STATE OF THE JUDICIARY ADDRESS
by John C. Holstein, Chief Justice
to Joint Session of the General Assembly

January 11, 1996

Lieutenant Governor, Mr. Speaker, members of the General Assembly, colleagues, and fellow Missourians:

It is a great honor to be the twelfth chief justice since the tradition began in 1974 to be invited to speak to the General Assembly. Both you and I, as public servants, are privileged to stand here today on the broad shoulders of earlier chief justices, senators, representatives, and members of the executive branch. Their foresight in designing and implementing our state system of justice reflects immense wisdom. They were progressive when progress was called for. They exercised restraint when restraint was appropriate.

In recent years the General Assembly has upheld that great tradition. You have continued to provide the tools necessary to make the delivery of justice to Missouri citizens better, faster and more efficient than ever before. The backlogs and delays that exist in other states do not exist in Missouri. The General Assembly has been most helpful in two particular areas. First, in order to meet the challenge presented by an unprecedented growth rate in caseloads, prior chief justices have come to the legislature to seek funding for judicial transfer programs, and for the broader use of our senior judges. The General Assembly and the Governor have responded favorably to those requests in the past. As a result, tens of thousands of cases have been disposed of by judges on transfer and by senior judges. We are grateful to the other two branches of government for assisting the courts. All Missourians should be enormously grateful to the senior judges and to the judges who have been transferred, often at considerable inconvenience and, in the case of senior judges, without receiving full compensation. Last year alone, the number of days our senior judges worked were equivalent to more than 10 full-time sitting judges.

The second area in which the General Assembly in recent years has been most helpful is in providing the courts with ability to automate. Beginning in 1994, the legislature provided for a funding mechanism to develop a statewide computerized court system. The General Assembly has challenged us to create a court system that is more accessible and more effective than ever before.

Meetings are being held around the state with those who will use electronic courts -- appellate judges, trial judges, clerks, attorneys, and state agencies, who routinely need access to court information. We are now beginning to see the first fruit of the court automation project. Through arrangements made with the Court Automation Committee, Missouri statutes and Missouri cases going back to 1950 are now available on compact disk to all trial judges in the state who want them. We hope to put more of our Supreme Court publications, Approved Instructions and judicial bench books on computer disk in the near future. A judge traveling a circuit may carry a complete Missouri law library in a briefcase. In the future, we may be able to have such a library on line. Plans are being made for the Missouri Bar and the Missouri State Courts Administrator to have a home page on the internet so that lawyers and citizens alike may access information about the courts. Lawyers will be able to register for continuing legal education programs, and information regarding selecting a lawyer, small claims court, or recent court decisions may be located by citizens.

A more important and certainly the more costly aspect of the project is the contract entered into this fall to design an architecture which will provide a statewide judicial information system that will take us well into the next century. Ultimately, that system will allow us the option of electronic filings of pleading, giving of notices, and archiving of court records for retrieval on a 24-hour-a-day basis. Video conferencing will be included in the plan so that some court proceedings may be conducted from remote locations. The contract will give us an architecture for a computer system which will not become obsolete before the system is completed.

As originally conceived, our court automation project required ten years of funding. As you know, the court automation bill as it finally passed only provided for five years of funding. I again commend to you the need to consider extending that funding for the five additional years necessary to complete the project.

As we enter into court automation, we are making every effort not to computerize merely for the sake of computerization. Now is the time to eliminate bad practices and procedure. Every aspect of our judicial process must be open to thorough examination.

The story is told about a young wife who baked a ham every Sunday. Every Sunday she cut the ends of the ham off before she baked it. After watching her do this for a few weeks, her young husband asked her why she did it. She said, "I do it because my mother did it." She then called her mother and asked her why she cut the ends off the ham. Her mother said, "My mother did it." So grandma was called. She asked grandma why she cut the ends off the ham. Grandma replied, "Simple. My pan was too small."

We are trying to be careful as we computerize not to perpetuate a senseless practice merely because "that's how grandma did it." We should not become so steeped in tradition that we are incapable of change.

To obtain the full benefit of computerization will undoubtedly require some statutory changes. We will be coming to you to assist us in making the necessary changes so that we do not continue to cut the ends off the ham.

This brings me to legislation which we are going to ask you to consider and, hopefully, pass during this session of the legislature. It has to do with our present system of court costs. As most of you are aware, that system is extremely complex. Court costs have been used and, in the view of some, overused as a revenue enhancement device. Court costs and fees have historically been a method for offsetting some of the public cost of operating the court system from the users of that system. To ask those who most directly benefit from operation of the court to share in the costs of its operation is not inherently wrong.

At the same time, for the court to fulfill its role and to provide citizens their constitutional rights to due process, access must not be prevented or unduly restricted by the amount of court costs or by the proliferation of costs unrelated to court operations that are charged. The costs for filing circuit civil cases has risen from $60 in 1982 to over $100 in 1995. These costs, surcharges and fees may occur within the case due to service of process, payment of jury fees, copying fees, court reporter transcript fees, etc. These must be sorted out and billed by the clerks of the court. Then the costs must be distributed to the proper agency. Each of you have been provided with a diagram of our court costs system. Larger versions of that same diagram have been set up in the front of each of the two galleries.

The diagram graphically illustrates the present system and why court costs are a prime target for reengineering as we enter the electronic age. The current court costs system is scattered through more than seventy sections of the statutes, beginning in chapter 14 and concluding in chapter 595 of the Revised Statutes. Under the current billing system, the billing may be quite late. It is not at all unusual that the responsible party is dead or that an attorney has lost contact with his or her client who is the responsible party. The billing system is unnecessarily complex. In one associate circuit court, I was shown a receipt form that was more than eighteen inches wide merely so that it could have a box to be filled in for each of the separate court costs involved.

Auditing is quite difficult. There is no system of immediate electronic audit that follows a case from filing through the judge's entry of orders, including assessment of fines and costs, and on to the clerk, who collects the costs, and then to the state or county agencies that receive the funds. Much of this is done manually. Naturally, it must await a manual audit. As you know, those audits often occur only every two or three years.

The final problem and, perhaps, the most important problem, is the public's perception that costs are too high and too complicated. We have regularly heard complaints from people that costs and fines in one county are significantly different for the same type case a few counties away.

Here are the basic solutions which the legislation proposes:

First, to the maximum extent possible, all court costs should be placed in one chapter. In that chapter should be found not only provisions for the amount but the procedures for collection and distribution of the funds. By doing that, it is less likely that some fee or cost required to be collected by law will be missed or will not reach the proper account. In addition, terminology used in all statutes relating to various costs, fees and surcharges will be defined and made uniform.

Second, to the maximum extent possible, funds will be distributed more rapidly to the appropriate state and local government agencies. Provision should be made for electronic transfers of funds to the appropriate agencies at the state and county level.

Third, we hope to provide courts with the same flexibility accorded executive agencies for establishing charges that are directly related to the costs of services provided, such as mileage, copying papers, jury fees, and the like. To the maximum extent possible, these fees should be uniform. Costs charged in one type case in St. Charles County should not vary significantly from costs charged for the same type case in Clay County. Just like executive fees, these charges should always be subject to legislative review but, like executive agencies, the Supreme Court should have the ability to adopt uniform rules regarding the amount of costs which should properly be recovered from the parties.

Fourth, as part of court automation, a clear trail of what money is collected and where it goes that is capable of electronic audit must be established. If all the fines and costs in a particular case are not collected, that case should be flagged immediately in the system so that at least two people, perhaps the judge who assessed the fine and costs, and clerk responsible for collecting them, will be aware of the shortfall. Court automation, coupled with simplification in court costs in a unified code using uniform terminology and uniform fee schedules, should result in accurate and timely billing, collection and disbursement of court costs.

There may be some immediate costs related to this legislation. I would hope that in the long term, collections would in fact be enhanced. As you can guess from the diagram, there may be some holes in the bucket. If we can make court costs simpler, uniform, understandable and efficient, that will be a major step in earning the confidence of the people we all serve.

I wish I could say that legislation to simplify and clarify court costs is simple and clear. As you can see from the diagram, you are being asked to untie a gordian knot of court costs that has developed over many, many years and to do so without reducing revenues. As we undertake this task, I am reminded that sometimes the

hardest things we do can be the most rewarding.

Returning for a moment to the subject of court automation, I wish to point out we have placed a high priority on the planning phase of court automation. We have demanded from our consultants an organized, well thought out approach to automation which sidesteps waste and false starts made by other states who fell into the temptation of quick solutions and wholesale purchases of hardware and off-the-shelf software. As we bring forward the plan, and as you see the complexity of what is required to create the statewide system that is envisioned, we hope that the system will earn your trust, confidence and support.

In this regard, we are hopeful that you will ask questions and closely follow the court automation project as well as our efforts to simplify, clarify and make more efficient the billing, collection and distribution of court costs.

There are other less costly but nonetheless important matters that we have placed before the legislature this year for consideration. One such matter is court security. I would not want to see our courthouses turned into fortresses. But insuring the safety of court staff, lawyers and litigants is essential. Court security in our circuit courts around the state is largely the responsibility of county government. Most county governments have taken that responsibility quite seriously, particularly in view of the events that occurred in Oklahoma City last year. Currently, our Supreme Court security staff is very small. Security equipment that is standard in most urban courthouses, most federal courthouses and some of the courts of appeals is not available for the Supreme Court. A committee appointed last year by the Supreme Court is working on overall recommendations for court security in the state. One of their immediate recommendations is that we strengthen the security of our own building across the street. While we have been fortunate to not have any serious incidents, we would not want to wait until something actually occurs to take action.

The Governor's Commission on the Judiciary recently made nineteen specific recommendations regarding the judicial system. While neither the Judicial Conference nor the Supreme Court has taken a position on the recommendations, I can assure you that members of the judiciary have closely observed the Governor's Commission in its deliberations. The Commission's report is thoughtful and thorough. I commend them for their work. I commend their report to you for your careful consideration. If we in the judiciary can be of any assistance to you, we will gladly make ourselves available for discussing specific topics included in the Commission's report and how those topics will affect court operations.

As previously noted, daunting caseloads are facing the courts in Missouri. In the last ten years, excluding traffic and municipal cases, the overall caseload has grown 25%. In two specific areas, domestic relations and felonies, the growth rate has been even more startling. In domestic relations, the annual number of cases filed has increased 59%. Seventy-four percent more felony cases were filed in 1995 than in 1985.

One way the trial judges have met the challenge is by moving cases faster. The Supreme Court has established case disposition guidelines. Basically, those guidelines provide a framework within which trial judges can measure whether the cases are moving through a particular judge's court within a reasonable time. By proper use of the guidelines, judges are in a better position to track their own efficiency. However, I have always been cautious to remind everyone that the quality of justice cannot be measured by how fast we dispose of cases. Every case and every court's docket is unique. Every case involves the life, liberty or property of some real person. The delivery of quality justice remains the primary focus of our work.

Educational programs have assisted in handling caseloads. In the early 1980's, a program was established to ensure that Missouri's trial judges had an opportunity at least once annually to receive an update on changes in the statutes, new caselaw, and the most current information regarding procedures. This year, for the first time, we are asking for a significant increase in our training budget to provide regional in-service training programs for the clerical staff. Just as it is important that judges keep up to date on new law and innovations in court administration, it is also critical that our clerks be given similar opportunities for continuing education, particularly in view of constantly increasing caseloads. Included in our budget for this year is additional funding to provide training to the clerks of our courts in various locations in the state. We are seeking approval of that important program.

It would be wrong for me to leave you with the impression that transfer programs, continuing education programs, and case disposition guidelines imposed by the Supreme Court were entirely responsible for this state's ability to deal with what appears to be an overwhelming caseload. In point of fact, our trial judges and court clerks simply work harder, longer, and smarter than before. That has given us the ability to meet the challenge of the last ten years. Excluding traffic cases, on average, every judge in Missouri today must dispose of 250 more cases per year than a judge did ten years ago. Ten years ago, the clerks of our state courts were handling $93 million in child support collections. This past year, those collections had rocketed to over $300 million. We should all take great pride in what our trial judges and court clerks have accomplished.

The one fact that remains clear is that this growth pattern in caseloads is almost certain to continue into the future. As we face new challenges, there will be an ever greater necessity to give trial courts and clerks the additional tools necessary to help meet the growing demand for services.

At the beginning of my comments, I spoke of the great debt we owe to the members of the General Assembly who, over the course of many years, designed our system of justice. One significant piece of legislation was Missouri's civil code which became effective ten days before I was born. The civil code formed the basis for the Missouri Supreme Court Rules. The Code contained a remarkably simple phrase that established the vision for

the Missouri justice system. The statute said that all the laws relating to practices of the courts should be "construed to secure a just, speedy, and inexpensive determination of every action." Those same words were incorporated into Missouri's Supreme Court rules in 1972. I look forward to working with you as we continue to make a just, speedy, and inexpensive determination of every case a reality for the citizens of Missouri.

The Joint Session was dissolved by the Lieutenant Governor.

The Speaker resumed the Chair.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 39 - Ways and Means

HJR 40 - Social Services, Medicaid and the Elderly

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 765 - Workers Compensation and Employment Security

HB 766 - Retirement

HB 767 - Local Government and Related Matters

HB 768 - Civil and Criminal Law

HB 769 - Social Services, Medicaid and the Elderly

HB 770 - Public Health and Safety

HB 771 - Children, Youth and Families

HB 772 - Governmental Organization and Review

HB 773 - Motor Vehicle and Traffic Regulations

HB 774 - Judiciary and Ethics

HB 775 - Civil and Criminal Law

HB 776 - Correctional and State Institutions

HB 777 - State Parks, Recreation and Natural Resources

HB 778 - Elections

HB 779 - Local Government and Related Matters

HB 780 - Civil and Criminal Law

HB 781 - Public Health and Safety

HB 782 - Motor Vehicle and Traffic Regulations

HB 783 - Insurance

HB 784 - Insurance

HB 785 - Professional Registration and Licensing

HB 786 - Consumer Protection

HB 787 - Professional Registration and Licensing

HB 788 - Children, Youth and Families

HB 789 - Consumer Protection

HB 791 - Education - Elementary and Secondary

HB 792 - Children, Youth and Families

HB 794 - Children, Youth and Families

HB 795 - Labor

HB 796 - Civil and Criminal Law

HB 797 - Agriculture

HB 798 - Civil and Criminal Law

HB 799 - Ways and Means

HB 800 - Civil and Criminal Law

HB 801 - Budget

HB 802 - Public Health and Safety

HB 803 - Civil and Criminal Law

HB 805 - Education - Elementary and Secondary

HB 806 - Public Health and Safety

HB 807 - Children, Youth and Families

HB 808 - Education - Elementary and Secondary

HB 809 - Motor Vehicle and Traffic Regulations

HB 810 - Agriculture

HB 811 - Science, Technology and Critical Issues

HB 812 - Civil and Criminal Law

HB 814 - Motor Vehicle and Traffic Regulations

HB 815 - Miscellaneous Bills and Resolutions

HB 816 - Consumer Protection

HB 817 - Civil and Criminal Law

HB 818 - Judiciary and Ethics

HB 819 - Miscellaneous Bills and Resolutions

HB 820 - Judiciary and Ethics

HB 821 - Civil and Criminal Law

HB 822 - Miscellaneous Bills and Resolutions

HB 823 - Correctional and State Institutions

HB 824 - Local Government and Related Matters

HB 825 - Local Government and Related Matters

HB 826 - Municipal Corporations

HB 827 - Local Government and Related Matters

HB 828 - Consumer Protection

HB 829 - Science, Technology and Critical Issues

HB 830 - Correctional and State Institutions

HB 831 - Public Health and Safety

HB 832 - Federal-State Relations and Veterans Affairs

HB 833 - Education - Elementary and Secondary

HB 834 - Ways and Means

HB 835 - Governmental Organization and Review

HB 836 - Judiciary and Ethics

HB 837 - Education - Elementary and Secondary

HB 838 - Civil and Criminal Law

HB 839 - Labor

HB 840 - Motor Vehicle and Traffic Regulations

HB 841 - Motor Vehicle and Traffic Regulations

HB 842 - Ways and Means

HB 843 - Consumer Protection

HB 844 - Insurance

HB 845 - Elections

HB 846 - Elections

HB 847 - Insurance

HB 848 - Insurance

HB 849 - Commerce

HB 850 - Civil and Criminal Law

HB 851 - Education - Elementary and Secondary

HB 852 - Judiciary and Ethics

HB 853 - Civil and Criminal Law

HB 854 - Public Health and Safety

HB 855 - Children, Youth and Families

HB 856 - Judiciary and Ethics

HB 857 - Education - Higher

HB 858 - Commerce

HB 859 - Public Health and Safety

HB 860 - Education - Higher

HB 861 - Public Health and Safety

HB 862 - Miscellaneous Bills and Resolutions

HB 863 - Civil and Criminal Law

HB 864 - Insurance

HB 865 - Commerce

HB 866 - Tourism, Recreation and Cultural Affairs

HB 867 - Elections

HB 868 - Governmental Organization and Review

HB 869 - Judiciary and Ethics

HB 870 - Judiciary and Ethics

HB 871 - Education - Elementary and Secondary

HB 872 - Motor Vehicle and Traffic Regulations

HB 873 - Science, Technology and Critical Issues

HB 874 - Labor

HB 875 - Education - Elementary and Secondary

HB 876 - Transportation

HB 877 - Ways and Means

HB 878 - Governmental Organization and Review

HB 879 - Labor

HB 880 - Civil and Criminal Law

HB 881 - Civil and Criminal Law

HB 882 - Civil and Criminal law

HB 883 - State Parks, Recreation and Natural Resources

HB 884 - Tourism, Recreation and Cultural Affairs

HB 885 - Public Health and Safety

HB 886 - Judiciary and Ethics

HB 887 - Civil and Criminal Law

HB 888 - Civil and Criminal Law

HB 889 - Professional Registration and Licensing

HB 890 - Civil and Criminal Law

HB 891 - Motor Vehicle and Traffic Regulations

HB 892 - Consumer Protection

HB 893 - Elections

HB 894 - Civil and Criminal Law

HB 895 - Education - Elementary and Secondary

HB 896 - Professional Registration and Licensing

HB 897 - Motor Vehicle and Traffic Regulations

HB 898 - Local Government and Related Matters

HB 899 - Motor Vehicle and Traffic Regulations

HB 900 - Science, Technology and Critical Issues

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1080, introduced by Representative Troupe, relating to the licensing and regulation of physicians and surgeons.

HB 1081, introduced by Representative Carter, relating to the department of mental health.

HB 1082, introduced by Representative Carter, relating to the boarding of prisoners.

HB 1083, introduced by Representatives Wiggins and Overschmidt, relating to floodplain management.

HB 1084, introduced by Representative Schilling, et al, relating to certain pharmacy practices.

HB 1085, introduced by Representative Liese, relating to rights and duties of mines and mine owners.

HB 1086, introduced by Representative Fiebelman, relating to crimes and punishment.

HB 1087, introduced by Representative Liese, relating to the department of insurance.

HB 1088, introduced by Representative Sears, relating to establish a local sales tax for economic development purposes.

HB 1089, introduced by Representative Canuteson, relating to domestic and family violence.

HB 1090, introduced by Representatives Legan and Hosmer, et al, relating to court fees.

HB 1091, introduced by Representatives Legan and Ballard, relating to official state emblems.

HB 1092, introduced by Representative Foley, relating to certain fire protection districts.

HB 1093, introduced by Representative Foley, relating to certain fire protection districts.

HB 1094, introduced by Representative Hartzler, et al, relating to sexual misconduct involving children.

HB 1095, introduced by Representatives Robirds and Marble, et al, relating to motor vehicles.

HB 1096, introduced by Representative Edwards-Pavia, relating to crime.

HB 1097, introduced by Representative Hosmer, et al, relating to the provisions of emergency response services.

HB 1098, introduced by Representative Goward, relating to taxation.

HB 1099, introduced by Representative Williams (159), relating to the commercial feed law.

HB 1100, introduced by Representative Lakin, relating to pharmacies.

HB 1101, introduced by Representative Franklin, relating to watercraft.

HB 1102, introduced by Representative Smith, relating to real property.

HB 1103, introduced by Representatives Smith, Garnett, Gratz, Ridgeway and Akin relating to hazardous waste generators.

HB 1104, introduced by Representative Smith, relating to domestic relations.

HB 1105, introduced by Representative Crum (112), relating to driving while intoxicated.

HB 1106, introduced by Representative Dougherty, relating to forcible entry and unlawful detainer actions.

HB 1107, introduced by Representative Dougherty, relating to health insurance for children.

HB 1108, introduced by Representative Luetkenhaus, relating to certain construction projects.

HB 1109, introduced by Representatives O'Connor, Ridgeway and Treadway, relating to the licensing and regulation of certain health care professionals.

HB 1110, introduced by Representative Treadway, relating to the licensing of public accountants.

HB 1111, introduced by Representative Daniels (41), relating to rights and remedies with respect to wrongful discharge from employment.

WITHDRAWAL OF HOUSE BILLS

January 11, 1996

The Honorable Steve Gaw, Speaker

Missouri House of Representatives

State Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

This letter is to inform you that I wish to withdraw **House Bills 880, 881, 882** and **897**. Thank you for your assistance with this matter.

Respectfully submitted,

/s/ Bill Alter

The following members' presence were noted: Copeland and Kreider.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 12:00 noon, Friday, January 12, 1996 for a technical session..

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, First Day, Wednesday, January 3, 1996, page 10, line 42, by inserting after the name "Thomason (163)," the names "Ross and Murray, et al,".

Correct House Journal, Second Day, Thursday, January 4, 1996, page 3, line 21, by inserting after the name "Franklin," the names "Lakin and Ross".

COMMITTEE MEETINGS

BUDGET

Wednesday, January 17, 1996, 2:00 pm. Hearing Room 9. Caring Communities.

Presentation.

JOINT COMMITTEE ON VETERANS AFFAIRS

Wednesday, January 17, 1996, 5:00 pm. Senate Lounge.

Missouri Association of Veterans organizations.

HOUSE CALENDAR

SEVENTH DAY, FRIDAY, JANUARY 12, 1996

HOUSE BILLS FOR SECOND READING

HB 1080 through HB 1111

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
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House Journal

Second Regular Session, 88th General Assembly

SEVENTH DAY, Friday, January 12, 1996

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

SECOND READING OF HOUSE BILLS

HB 1080 through **HB 1111** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 901 - Civil and Criminal Law

HB 902 - Education - Elementary and Secondary

HB 903 - Ways and Means

HB 904 - Children, Youth and Families

HB 905 - Social Services, Medicaid and the Elderly

HB 906 - Consumer Protection

HB 907 - Professional Registration and Licensing

HB 908 - Motor Vehicle and Traffic Regulations

HB 909 - Municipal Corporations

HB 910 - Professional Registration and Licensing

HB 911 - Civil and Criminal Law

HB 912 - Judiciary and Ethics

HB 913 - Agriculture

HB 914 - Professional Registration and Licensing

HB 915 - Governmental Organization and Review

HB 916 - Ways and Means

HB 917 - Education - Elementary and Secondary

HB 918 - Education - Higher

HB 919 - Education - Higher

HB 920 - Judiciary and Ethics

HB 921 - Civil and Criminal Law

HB 922 - Motor Vehicle and Traffic Regulations

HB 923 - Civil and Criminal Law

HB 924 - Local Government and Related Matters

HB 925 - Civil and Criminal Law

HB 926 - Local Government and Related Matters

HB 927 - Civil and Criminal Law

HB 928 - Governmental Organization and Review

HB 930 - Insurance

HB 931 - Public Health and Safety

HB 932 - Civil and Criminal Law

HB 933 - Judiciary and Ethics

HB 934 - Ways and Means

HB 935 - Civil and Criminal Law

HB 936 - Children, Youth and Families

HB 937 - Fees and Salaries

HB 938 - Judiciary and Ethics

HB 939 - Civil and Criminal Law

HB 940 - Civil and Criminal Law

HB 941 - Judiciary and Ethics

HB 942 - Motor Vehicle and Traffic Regulations

HB 943 - Local Government and Related Matters

HB 944 - Civil and Criminal Law

HB 945 - Energy and Environment

HB 947 - Ways and Means

HB 948 - Motor Vehicle and Traffic Regulations

HB 949 - Consumer Protection

HB 950 - Science, Technology and Critical Issues

HB 951 - Labor

HB 952 - Ways and Means

HB 953 - Judiciary and Ethics

HB 954 - Budget

HB 955 - Professional Registration and Licensing

HB 956 - Urban Affairs

HB 957 - Education - Higher

HB 958 - Professional Registration and Licensing

HB 959 - Energy and Environment

HB 960 - Commerce

HB 961 - Social Services, Medicaid and the Elderly

HB 962 - Governmental Organization and Review

HB 963 - Consumer Protection

HB 964 - Consumer Protection

HB 965 - Ways and Means

HB 966 - Children, Youth and Families

HB 967 - Professional Registration and Licensing

HB 968 - Education - Elementary and Secondary

HB 969 - Ways and Means

HB 970 - Education - Elementary and Secondary

HB 971 - Education - Elementary and Secondary

HB 972 - Education - Elementary and Secondary

HB 973 - Education - Elementary and Secondary

HB 974 - Civil and Criminal Law

HB 975 - Civil and Criminal Law

HB 976 - Motor Vehicle and Traffic Regulations

HB 977 - Judiciary and Ethics

HB 978 - Ways and Means

HB 979 - Governmental Organization and Review

HB 980 - Education - Higher

HB 982 - Commerce

HB 983 - Insurance

HB 984 - Motor Vehicle and Traffic Regulations

HB 985 - Miscellaneous Bills and Resolutions

HB 986 - Motor Vehicle and Traffic Regulations

HB 987 - Ways and Means

HB 988 - Civil and Criminal Law

HB 989 - Commerce

HB 990 - Professional Registration and Licensing

HB 991 - Transportation

HB 992 - Children, Youth and Families

HB 993 - Civil and Criminal Law

HB 994 - Governmental Organization and Review

HB 995 - Energy and Environment

HB 996 - Social Services, Medicaid and the Elderly

HB 998 - Motor Vehicle and Traffic Regulations

HB 999 - Professional Registration and Licensing

WITHDRAWAL OF HOUSE BILL

January 10, 1996

Douglas Burnett

Chief Clerk

Missouri House of Representatives

State Capitol, Room 306C

Jefferson City, MO 65101

Dear Doug:

I would like to request that **House Bill 824**, pertaining to county planning and zoning, be withdrawn.

Thank you.

Respectfully submitted,

/s/ Rex Barnett

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, January 15, 1996.

COMMITTEE MEETINGS

BUDGET

Wednesday, January 17, 1996, 2:00 pm. Hearing Room 9. Caring Communities.

Presentation.

CHILDREN, YOUTH, AND FAMILIES

Tuesday, January 16, 1996, 7:30 pm. Hearing Rooms 3 & 4. Organizational

Meeting.

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 17, 1996, 7:30 pm. Hearing Room 8.Organizational meeting. CY&F Legislative issues.

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, January 15, 1996, 8:00 pm. Hearing Rooms 1 & 2.

To be considered - HB 832

JOINT COMMITTEE ON VETERANS AFFAIRS

Wednesday, January 17, 1996, 5:00 pm. Senate Lounge. Missouri Association of Veterans organizations.

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, January 15, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 811, HB 829, HB 873, HB 900

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Bill Information
Committees
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House Journal

Second Regular Session, 88th General Assembly

EIGHTH DAY, Monday, January 15, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"Overcome evil with good." (Rom. 12:21)

Today we honor the 67th birthday of Martin Luther King Jr., Gracious God. It is a day of celebration of our diversity, a celebration of alternatives, including the precious gift of non-violence, a day of repentance for what has not been done yet, even as we celebrate that which has been accomplished, while we regret the set-backs arising from pride, selfishness and hearts that will not open to love and justice. As the nation debates its policies of racial quotas and school integration, may we be debating the ways to make ourselves more just, not whether there should be justice. We think especially today of the horrific increase of the use of guns in crimes, mostly in our cities and so many of the victims and the assailants are so young; the fact that one out of three young adults is in prison or on probation or parole and that one out of every seven black men is in prison, compared to one of every ten white citizens, is cause for serious questions as we take responsibility for leading this State toward the "liberty and justice for all" we will proclaim shortly in the Pledge.

I heard a black preacher quoted this morning from yesterday's sermon, "let us give others a piece of our heart rather than a piece of our mind." Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as corrected and the Journal of the seventh day was approved as printed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	
Heckemeyer				
Hegeman	Hickey	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	
Luetkenhaus				
Lumpe	Marshall 26	Marshall 133	May 108	Mays 50

McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 001

Hendrickson

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Copeland	Crump 152	Daniel 42	Griffin
Hoppe	Marble	Reynolds	Secrest	Tate

VACANCY: 001

Speaker Pro Tem Daniels addressed the House.

My fellow members of this august body, I am especially grateful to have this opportunity to be able to serve in this capacity as Speaker Pro Tem and especially to have my first day while people all over the nation are celebrating the birthday of a great leader the Dr. Martin Luther King, Jr. Many of you might know that I was close to the Dr. Martin Luther King. I walked with him in 1957 and heard him make his first famous speech in that we came to tell our fellow government to give us the ballot and we would no longer worry about our basic needs. For we would fill the halls of the legislature with men of good will and carry to the sacred halls of Congress men who will not sign a southern manifesto because of their devotion to the manifesto of justice.

And I walked with Dr. King in 1963 when he made his famous speech, " I Have a Dream". To me, today in this House we have started to fulfill that dream. Thank you.

RESOLUTIONS

Representative Sallee offered House Resolution No. 95, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wiggins offered House Resolution No. 96, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 97, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cooper offered House Resolution No. 98, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Koller offered House Concurrent Resolution No. 2.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 10 - Rules, Joint Rules and Bills Perfected and Printed

HR 17 through **73** - Rules, Joint Rules and Bills Perfected and Printed

HR 76 - Rules, Joint Rules and Bills Perfected and Printed

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 908 - Transportation

HB 922 - Transportation

HB 938 - Commerce

HB 976 - Transportation

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1112, introduced by Representative Koller, relating to transportation regulation.

HB 1113, introduced by Representative Stoll, relating to promoting college level instruction in secondary schools.

HB 1114, introduced by Representative Williams (121), relating to the public school retirement systems.

HB 1115, introduced by Representatives Montgomery, Backer and Wiggins, relating to veterans' commission volunteers.

HB 1116, introduced by Representative Elliott, relating to insurance contracts.

HB 1117, introduced by Representative Green, relating to the leasing of certain property of the division of youth services.

HB 1118, introduced by Representative Hand, relating to expungement of certain criminal records.

HB 1119, introduced by Representative Lakin, relating to certain charitable organizations.

HB 1120, introduced by Representative Hegeman, relating to fences.

HB 1121, introduced by Representative O'Neill, et al, relating to the safety of certain employees.

HB 1122, introduced by Representative Mays, et al, relating to midwives.

HB 1123, introduced by Representative Mays, et al, relating to the oversight division of the committee on legislative research.

HB 1124, introduced by Representative Hendrickson, et al, relating to school taxes on certain railroad property.

HB 1125, introduced by Representative Childers, relating to pursuit and arrest.

HB 1126, introduced by Representative Childers, relating to marriage licenses.

HB 1127, introduced by Representative Childers, relating to certain health care records.

COMMITTEE CHANGES
1996

The Speaker submitted the following Committee changes:

Representative Gary Wiggins appointed Chair of Agriculture Committee.

Representative Sam Leake no longer Chair of Agriculture Committee, no longer a member of Appropriation - Education and Public Safety Committee and Budget Committee.

Representative Ted Farnen appointed a member of Appropriation - Education and Public Safety Committee, but no longer a member of Appropriation - General Administration and Transportation Committee.

Representative Rita Days appointed a member of Appropriation - General Administration and Transportation Committee.

Representative Jim Sears appointed a member of Budget Committee.

Representative Carl Vogel appointed a member of Budget Committee.

Representative Bonnie Sue Cooper appointed a member of Banks and Financial Institutions Committee, but no longer a member of Ways and Means Committee.

Representative Harriet Tatum Brown appointed a member of Ways and Means Committee.

Representative Marilyn Edwards-Pavia appointed a member of Labor Committee.

Representative Dan Hegeman appointed a member of Commerce Committee, but no longer a member of Labor Committee.

Representative Ed Hartzler appointed a member of Appropriations - General Administration Committee.

Representative Chuck Pryor appointed a member of Workers' Compensation and Employment Security Committee.

Representative Robert Clayton appointed a member of Judiciary and Ethics Committee.

Representative Joan Bray appointed Vice Chair of Appropriations - General Administration Committee; and a member of Budget Committee.

Representative Tim Green appointed Chair of Appropriations - General Administration Committee.

Representative Jack Hickey appointed Chair of Labor Committee.

Representative Louis Ford appointed Chair of the Joint Committee on Capital Improvements; and a member of Budget Committee.

Representative Dennis Bonner appointed Vice-Chair of Commerce Committee; and a member of Budget Committee and Labor Committee.

Representative Norman Sheldon appointed Chair of the Motor Vehicle and Traffic Regulations Committee; a member of Joint Administrative Rules Committee; and a member of Budget Committee.

Representative Scott Lakin no longer Chair of Joint Committee on Capital Improvements.

Representative Larry Thomason no longer Chair of Motor Vehicle and Traffic Regulations Committee.

Representative Jim Pauley no longer member of Joint Administrative Rules Committee.

The following member's presence was noted: Representative Crump.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, January 16, 1996.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Sixth Day, Thursday, January 11, 1996, page 4, roll call, by showing Representative Kreider voting "present" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Tuesday, January 16, 1996. Upon adjournment. Room 414.

CHILDREN, YOUTH AND FAMILIES

Wednesday, January 17, 1996, 7:30 pm. Hearing Room 8. Organizational

meeting. CY&F Legislative issues. CANCELLED

JUDICIARY AND ETHICS

Tuesday, January 16, 1996, 3:00 pm. Hearing Room 5.

To be considered - HB 818, HB 820, HB 856, HB 870

WAYS AND MEANS

Tuesday, January 16, 1996, 3:00 pm. Hearing Rooms 1 & 2. Organizational meeting.

HOUSE CALENDAR

NINTH DAY, TUESDAY, JANUARY 16, 1996

HOUSE BILLS FOR SECOND READING

HB 1112 through HB 1127

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

NINTH DAY, Tuesday, January 16, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"God saw (creation) and it was good." (Gen. 1:19).

Yesterday and this morning the news showed us the latest Hubble photographs from space with some new hints about the origin of our universe, and some challenges to our present understanding of the presence of planets earlier than previously thought at the beginning of our world.

We pray today, God of light and power, that this kind of knowledge will humble all of us as well as encourage us. Science is so often so self-confident about theories which disturb some in the religious community and some in the religious community cannot avoid the same error and so they interfere with the legitimate findings and theories of science.

In our personal lives too, gracious God, we pray that we would be slower to make final judgments about the other, and even about ourselves, until we have allowed ourselves to go back and look long into the deep places in our hearts from which new light can arise to give us new insights in prayer and in reflection. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighth day was approved as printed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Lumpe	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell

Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 002

Hendrickson	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Copeland	Griffin	Leake	Marble

Reynolds

VACANCY: 001

RESOLUTIONS

Representative Boucher offered House Resolution No. 99, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (69) offered House Resolution No. 100, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 101, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Backer offered House Concurrent Resolution No. 3.

HOUSE CONCURRENT RESOLUTION NO. 3

BE IT RESOLVED, by the House of Representatives of the Eighty-Eighth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, January 17, 1996, to receive a message from His Excellency, the Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and the Senate of the Eighty-Eighth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Backer , Rule 63 was suspended and House Concurrent Resolution No. 3 was adopted.

GOVERNOR'S ESCORT COMMITTEE

The Speaker appointed the following committee to meet with a like committee from the Senate to wait upon the Governor of the State of Missouri, Honorable Mel Carnahan: Representatives Klumb, Murray (69), Davis, Carter, Wiggins, Farnen, Evans, Brown, McClelland and Shields.

SECOND READING OF HOUSE BILLS

HB 1112 through **HB 1127** were read the second time.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1047 - Transportation

RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

HB 847 - Social Services, Medicaid and the Elderly

HB 766 - Local Government and Related Matters

COMMITTEE CHANGES 1996

The Speaker submitted the following Committee changes:

Representative Brian May (108) appointed Chair of Interstate Cooperation Committee.

Representative Jack Hickey no longer Chair, but remains a member of the Interstate Cooperation Committee.

Representative Sam Leake appointed Co-Chair of the Agriculture Committee and appointed a member of Budget Committee.

Representative Jim Sears no longer a member of Budget Committee.

Representative Dana Murray (60) appointed Vice-Chair of the Ways and Means Committee.

Representative Lloyd Daniel (42) appointed a member of the Ways and Means Committee.

Representative Gracia Backer appointed Vice-Chair of the Rules, Joint Rules and Bills Perfected and Printed Committee.

Ninth Day-Tuesday, January 16, 1996

Representative Glenda Kelly (27) appointed a member of the Children, Youth and Families Committee.

Representative Ted Farnen appointed Vice-Chair of the Elections Committee.

Representative Rita Days appointed Chair of the Elections Committee; and a member of Appropriations - Education and Public Safety Committee, but no longer a member of Appropriations - General Administration Committee.

Representative Joe Clay Crum (112) appointed a member of the Appropriations - General Administration Committee.

Representative Gracia Backer no longer a member of Appropriations - General Administration Committee.

Representative Don Kissell no longer a member of Appropriations - Health and Mental Health Committee.

Representative Norman Sheldon (104) no longer a member of Commerce Committee.

Representative Steve McLuckie appointed a member of Energy and Environment Committee.

Representative Deleta Williams (121) appointed Democratic Sponsor of the Part- Time Student Intern Program.

Representative Tim Harlan appointed a member of Rules, Joint Rules and Bills Perfected and Printed Committee.

Representative Steve Gaw no longer Chair of Elections Committee and no longer a member of Agri-Business Committee; Appropriations - Education and Public Safety Committee; Children, Youth and Families Committee and Judiciary and Ethics Committee.

Representative Rich Chrismer appointed a member of Budget Committee.

Representative Dan Hegeman appointed a member of Budget Committee.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 46, introduced by Representative Hendrickson, et al, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1128, introduced by Representatives Bland and Van Zandt, et al, relating to certain health care benefits.

HB 1129, introduced by Representatives Kreider and Childers, et al, relating to the regulation of certain activities of the travel industry.

HB 1130, introduced by Representative Kreider, relating to the jurisdiction of the public service commission regarding water utilities.

HB 1131, introduced by Representative Kreider, et al, relating to the civil air patrol.

HB 1132, introduced by Representative Heckemeyer, relating to the county salary commission.

HB 1133, introduced by Representatives Witt, Cooper, Skaggs, Shelton (57), Gross, Ward, Green, Shear, Chrismer, O'Connor, Kissel, Luetkenhaus, Ostmann and Goward, relating to certain sales and use tax.

HB 1134, introduced by Representatives Sallee and Marble, et al, relating to the prevailing wage.

HB 1135, introduced by Representative O'Neill, et al, relating to weapons offenses.

HB 1136, introduced by Representative Bray, et al, relating to financing of certain election campaign.

HB 1137, introduced by Representative Gunn, et al, relating to prohibited insurance practices.

HB 1138, introduced by Representatives Hosmer and McClelland, relating to higher education.

HB 1139, introduced by Representative Green, relating to certain public works projects.

HB 1140, introduced by Representative Van Zandt, relating to the sunshine law.

HB 1141, introduced by Representative Cierpiot, et al, relating to employer immunity.

HB 1142, introduced by Representative Marshall (133), et al, relating to certain drivers' licenses.

HB 1143, introduced by Representatives Copeland and Witt, et al, relating to the licensing of acupuncturists.

HB 1144, introduced by Representative Murphy, relating to the licensing of architects.

HB 1145, introduced by Representative Shear, et al, relating to public officers and employees.

WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

January 16, 1996

The Honorable Steve Gaw, Speaker

Missouri House of Representatives

State Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to withdraw **House Concurrent Resolution 2**.

Respectfully submitted,

/s/ Don Koller

Ninth Day-Tuesday, January 16, 1996

WITHDRAWAL OF HOUSE BILL

January 16, 1996

Mr. Doug Burnett

Chief Clerk

House of Representatives

Capitol Building

Jefferson City, MO 65101

Dear Mr. Burnett:

I am requesting the withdrawal of my previously filed **House Bill No. 1071**.

Respectfully submitted,

/s/ Rep. Connie J. Cierpiot

Dist. 52

The following member's presence was noted: Reynolds.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, January 17, 1996.

COMMITTEE MEETINGS

ENERGY AND ENVIRONMENT

Thursday, January 18, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 945

FEES AND SALARIES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 1.

To be considered - HB 937

TRANSPORTATION

Wednesday, January 17, 1996, 3:00 pm. Hearing Room 5.

To be considered - HB 876, HB 908, HB 922, HB 976, HB 991, HB 1047

WORKERS' COMPENSATION AND EMPLOYMENT SECURITY

Monday, January 22, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 765

Ninth Day-Tuesday, January 16, 1996

HOUSE CALENDAR

TENTH DAY, WEDNESDAY, JANUARY 17, 1996

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 46

HOUSE BILLS FOR SECOND READING

HB 1128 through HB 1145

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives
RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources
Who is your Representative?
Go
(zip code or zip+4)
Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

TENTH DAY, Wednesday, January 17,1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Leave your offering before the altar, then go and be reconciled with your brother/sister first." (Mt. 5:23)

Today the Governor gives us his State message. We pray for the State and for all in public service as we seek to bring about the fair and measured growth in the economy and in the general well-being of the State which does the most good and the least harm to all of our citizens, particularly the most vulnerable.

We pray also for the Congress and the President as the budget negotiations continue that there might also be the same spirit of justice and concern for our most vulnerable in the final outcome there also.

As we speak of budget reconciliation and deficit reduction, gracious God, pray also for the reconciliation we need among ourselves and the reduction of bad feelings in this chamber, acknowledging and honoring the hurts, the disappointment and the sense of betrayal that some have. At the same time, we pray for a spirit of forgiveness and moving forward. Anger that is not healed hurts us physically and emotionally and it gives the other power over us. As the great St. Augustine told us, we hate the sin, but love the sinner. Common sense would add to that, make sure that we ask ourselves first to admit our own part of the sin. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the ninth day was approved as corrected by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	May 108	Mays 50	McBride	

McClelland				
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason
163				
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr.
Speaker				

NOES: 001

Hendrickson

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Copeland	Ford	Griffin	
Heckemeyer				
Hickey	Hohulin	Jacob	Marble	Ribaudo

Sheldon 104

VACANCY: 001

RESOLUTIONS

Representative Gaw offered House Resolution No. 102, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds, et al, offered House Resolution No. 103, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 104, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 105, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 106, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution No. 107, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith (11) offered House Resolution No. 108, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Goward offered House Resolution No. 109, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Goward offered House Resolution No. 110, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Goward offered House Resolution No. 111, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Skaggs offered House Resolution No. 112, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farmer offered House Resolution No. 113, which was referred to the Committee on Miscellaneous Bills and Resolutions.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 3**.

The President Pro Tem has appointed the following Committee to act with a like committee from the House pursuant to **HCR 3**: Senators Banks, Bentley, Clay, DePasco, Johnson, Maxwell, Sims, Treppler, Westfall and Wiggins.

JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Wilson, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 034

Banks	Bentley	Caskey	Clay	Curls
DePasco	Ehlmann	Flotron	Goode	Graves
House	Howard	Johnson	Kenney	Kinder
Klarich	Lybyser	Mathewson	Maxwell	McKenna
Melton	Moseley	Mueller	Quick	Rohrbach
Russell	Schneider	Scott	Sims	Singleton
Staples	Treppler	Westfall	Wiggins	

NOES: 000

ABSENT WITH LEAVE: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present.

AYES: 002

Harlan	McBride

NOES: 000

PRESENT: 142

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Edwards	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 124	Hall	Hand	Hartzler 123	Hartzler
Hegeman	Hendrickson	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	May 108	Mays 50
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Ribaudo	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Summers	Surface	Thomason 163	Thompson 37
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

ABSENT WITH LEAVE: 018

Auer	Barnes	Bland	Copeland	Crum 112
Donovan	Goward	Griffin	Heckemeyer	Hickey
Jacob	Marble	O'Toole	Richardson	Stoll
Tate	Treadway	Ward		

VACANCY: 001

The Doorkeeper announced the approach of the Governor of the State of Missouri, Honorable Mel Carnahan. The Governor was duly escorted to the House Chamber and to the Speaker's dais, where he delivered the following message to the assembly in the Joint Session.

STATE OF THE STATE ADDRESS

ADDRESS BY

GOVERNOR MEL CARNAHAN

January 17, 1996

Mr. President, Mr. Speaker, Mr. President Pro Tem, distinguished state officials, members of the 88th General Assembly, and citizens of Missouri:

I appreciate the opportunity to appear before you today.

One of the greatest rewards of being governor is meeting so many remarkable people who share their dreams with you.

As you know, I particularly enjoy meeting young people because of their boundless energy and enthusiasm, and their refreshing views on life.

Last June, I received a very special letter from one young person inviting me to "do" lunch.

I say this invitation was very special because this wasn't just any lunch.

This was a lunch to celebrate Kendra Davis's tenth birthday, and Kendra -- who lives inuot; lunch.

Osage Beach -- wanted to have lunch with me in my office.

She even wrote that if I agreed, then I would be "extra excellent."

How could I refuse her request ... and this chance to be "extra excellent?"

So Kendra and I had her birthday celebration in my office.

We had chicken fingers, soda, and, of course, a chocolate cake with candles.

I had looked forward to visiting with Kendra and expected a conversation about school, her friends, and maybe her favorite games or television shows.

Well, I was certainly mistaken.

Kendra opened the conversation by asking me my views on Bosnia and smoking.

We discussed the quality of education, the future of our state and nation, and even the quality of our roads.

At ten years of age, Kendra Davis was already focused on the future...not just her future, but our future.

She believes that she can make a difference in this world, and she is expecting us to make a difference as well.

Kendra and her family are here today, sitting with my wife Jean.

I asked her to come, because -- at least to me -- she serves as a wonderful reminder of the most important reason we are here: to make Missouri a safer and better place for our most precious resource--our children and grandchildren...the youngest citizens of Missouri.

You can bet she's going to hold us accountable.

Kendra's counting on us...to do the right thing for Missouri.

And so are all the other young people of our state.

They are watching to make sure we do what we were sent here to accomplish... to keep
Missourians safe from crime, to make sure our schools offer a quality education, and to make
certain there are enough good jobs to provide our families with a reasonable level oft
financial security.

So let us take this opportunity to review how far we have come and where we need to go.

Many good things are happening in Missouri, but there are also some areas where we still have improvements to make.

CRIME

Probably the most serious threat to providing the quality of life we want for all Missourians is violent crime.

Our homes, our neighborhoods, our businesses, and our schools will never breathe freely as long as they are constricted by fear.

As long as I am governor, we will not be content until our students can go to school unafraid.

We will not rest until our children can play in their neighborhoods without the threat of violence.

And we will not stop until our citizens can live and work without fear.

Over the past three years, we have passed some of the toughest anti-crime laws in the country.

We passed one of the nation's toughest "truth in sentencing" laws.

Now, dangerous and violent criminals must serve at least 85 percent of their sentences behind bars--far more than they were serving before this change.

I don't know if you noticed, but a story ran in the *St. Louis Post-Dispatch* several weeks ago about a man named Edward Post who killed his wife in 1986 and finally pleaded guilty to second degree murder.

The story went on to say that Post will be eligible for parole in 1999, after serving just ten years of a 30 year sentence.

I---along with many other Missourians--was outraged.

Ten years for someone who murdered his wife is not enough.

And serving just one-third of his sentence for murder does not serve the interests of justice.

But since Post committed his crime in 1986, his case fell under the old law which allowed such lenient treatment for murder.

This injustice won't happen again under our new sentencing law.

If Post had committed his crime today and received a 30 year sentence, he would not be eligible for parole under any circumstances until he had at least served 25 years and six months of his 30 year sentence behind bars.

Ten years is definitely too short a sentence -- 25 years before parole can ever be considered is a step in the right direction.

To combat the increasing occurrence of juvenile violence, we have overhauled our juvenile crime law to hold these young offenders accountable for their actions.

Dangerous juveniles no longer have a "Get Out Of Jail Free" card in Missouri when they turn 18.

Now the most dangerous and violent juvenile offenders can be tried as adults and sent to prison (even for life, if that's appropriate) instead of being returned to the streets where they can strike again.

We have expanded the number of law enforcement officers on duty and given them the newest and most sophisticated tools to bring criminals to justice.

We've given prosecutors tough new tools to get convictions against child molesters and rapists.

We have increased the number of prison cells to ensure that violent criminals serve their time.

And we have set things straight on how criminals will spend their time in prison.

Under our new laws, all inmates must work, get a basic education, and get treatment.

We're not going to let them sit idly in their cells.

They're going to use their time working and developing job skills.

These changes are real, and they're needed.

But the war against crime continues to rage on, and so this year I am proposing an arsenal of new weapons against violent crime.

Regrettably, one of the battle zones in this war is our schools.

Too many classrooms are caught in the crossfire.

We can't expect our students and our teachers to be able to focus fully on reading, or writing, or math, when, by necessity, their greatest concern must be on protecting themselves against the possibility of violence.

Too many of our students and teachers must step into a combat zone of guns, gangs, and drugs whenever they enter the classroom.

We're not going to tolerate violent and disruptive students -- period.

The Safe Schools initiative I have recently announced will give our schools the force of law and the resources they need to make our schools safer for students who are serious about getting an education.

Among these important changes, we will guarantee schools the access to juvenile records of students who have broken the law.

We will require that disciplinary records for violent students follow them if they change schools.

And my plan also includes helping school districts establish alternative schools for violent, abusive, and disruptive students.

These alternative schools will make our regular classrooms a safer and better learning environment.

And it also ensures that these troubled youth will get the help they need.

This alternative education will provide these dangerous and abusive young people with the educational, social, and behavioral skills necessary to turn their lives around.

An even more deplorable situation than being threatened at school is being threatened at home.

Countless cases of domestic violence against spouses and children go unreported each year because the victims believe they have no place to go and no one to turn to.

This year, I am calling for increased support for domestic violence shelters and other help for domestic violence victims.

These victims need our help to escape from this horrible abuse.

And I am proposing tough new sentencing and lifetime supervision requirements for sexual predators, who rob their victims of their self respect.

My proposal eliminates the possibility of probation for dangerous sexual offenders.

And it requires that, if and when a sexual predator does get out of prison, he will be kept under supervision for the rest of his life.

This will allow us to return him to prison at any time if he commits another crime or violates the conditions of his release.

In addition, I am proposing legislation that will allow judges and juries to give life imprisonment to those convicted of child abuse when the result of that abuse is the death of the child.

Missouri is drawing the line on violent crime, and the message from this building today is that anyone who dares to cross that line better be prepared to pay and pay dearly.

CHILD HEALTH CARE

Another challenge before us is to improve our children's health.

Despite recent efforts, Missouri ranks 49th in the nation in childhood immunization rates.

This is not acceptable.

Immunizations are the most powerful and cost-effective way to prevent nine infectious/P>
diseases in children, including polio and measles.

Not only do children and their families benefit from these voluntary immunizations, everyone benefits by avoiding the cost of treating these preventable diseases.

Our failure to achieve adequate immunization rates is not simply an embarrassment for Missouri; it jeopardizes the health and lives of our children.

To address this critical problem, I am directing the Missouri Department of Health to implement a plan that will make it easier for all families to have their children immunized.

The plan sets a goal of having 90% of the two-year-olds in Missouri fully immunized byP>
September 1997.

To reach this goal, I am calling for legislation that will allow parents to authorize grandparents, adult siblings, or other designated individuals to take children to be vaccinated.

And I am calling for legislation requiring that all health insurance plans that provideP>
coverage to children include childhood immunizations without requiring the family to payP>
deductibles or co-payments.

Quite simply, good preventive health care makes good sense, and voluntary immunizations are an integral part of that good, preventive treatment.

Another highly effective way to help safeguard the health of our children is to expand the availability of school nurses.

My budget proposal increases grants to local schools for basic health services and screenings.

With the addition of these grants and other related state initiatives, every school district will be able to have a school nurse or other necessary health services for its students.

HELPING CHILDREN

The school nurse program and childhood immunizations are just two examples of the ways our children are counting on us to help them get off to a good start, particularly in the areas of health, mental health, and protection from abuse.

This budget accepts that challenge by providing help for some of the state's most vulnerable children.

This budget provides funds for more foster care placements for abused and neglected children.

It expands the number of child advocacy centers that serve as safe havens and assessment centers for abused children, establishing new centers in Springfield, Columbia, and Southeast Missouri.

And it provides additional residential placements for severely disturbed children and respite support for families shouldering the care of mentally ill children.

EDUCATION

And now, I would like to turn to a subject that is a recurring theme in my administration -- the education of our young people.

Our young people are counting on us to provide them with a quality education.

Together, we have laid the foundation for schools that will prepare our students for the next century.

With the education reforms we initiated three years ago, we are doing a better job of giving students the education and training they need to be ready to compete in the 21st century.

As you travel around Missouri, you can already see tangible improvements in our classrooms -- smaller class sizes for our first, second, and third graders; more computers; and up-to-date vocational education.

Through increased funding of our Parents As Teachers Program, early childhood education is now available to over 160,000 Missouri families.

This year we will achieve full funding of the new, more equitable school foundation formula.

The dollars needed to reach full funding are made possible in part by the savings we achieved in the Kansas City desegregation case -- the first reduction in the on-going costs of desegregation in Missouri history.

For the first time, desegregation savings are being deposited into the school foundation formula and distributed to schools all across Missouri.

Our young people need to be ready for the new information economy of the next century.

This year, I am proposing another initiative to help our schools use the latest technology to improve learning.

My budget includes a $20 million investment to help schools acquire computers and new information technologies.

Schools will be able to link up to the information superhighway and enhance interactive instruction.

These funds will be available on a matching basis to help accelerate the placement of computer technology in our schools.

Let's face it, if our children do not leave school computer literate, then their opportunities for good jobs and good careers in the years ahead will be greatly diminished.

HIGHER EDUCATION

We must not underestimate the importance of higher education to our economic growth.

The need for higher education has increased dramatically as the economy switches from an industrial base to an information base.

My budget provides a sizable investment to ensure our colleges and universities graduate well- prepared students who will be successful in the global economy.

It gives increased support to Missouri's community colleges which are providing education and customized training.

Community colleges give our students the skills necessary for high paying jobs or thend
coursework credits to transfer to four-year institutions.

And my budget provides increases in on-going support for our public four-year colleges and universities, and added one-time dollars for significant capital improvements.

In addition to their immediate contributions to Missouri's work force and economy, our universities are important research institutions.

I am recommending additional one-time state funds to be matched with private and University of Missouri funds for the University's Endowed Chairs program.

Since we began this partnership with the University, 16 professorships and seven endowed chairs have been established.

These endowed chairs help Missouri recruit outstanding researchers and scholars to our campuses.

Finally, my higher education budget includes a fifteen percent increase in the Missouri Student Grant program and increases in other student financial aid programs.

We want to help Missouri families and students realize the dream, and the necessity, of of
gaining a higher education.

SENIOR CITIZENS

Our young people are certainly the hope of tomorrow, and we must help them get off to a good start.

But we also must not neglect those who have worked to make this state the great place we enjoy today.

I strongly believe the federal government must balance its budget.

But I am troubled by some of the proposals I have heard coming out of Washington, especially those which adversely affect our senior citizens.

In Missouri, we must remain committed to helping our senior citizens live with dignity.

This year, I am proposing an initiative designed to help Missouri's seniors remain healthy and independent.

First, I am renewing my call for a tax cut for families which shoulder the cost of caring for an elderly parent.

Specifically, I propose increasing the exemption for dependents over the age of 65 from $400 to $2,000.

This is modest tax relief, but those caring for elderly parents need it and deserve it.

Secondly, I am proposing to expand proven, cost-effective services that help senior citizens remain in their homes and communities instead of having to move to more costly nursing homes.

These include:

---training and respite services for family members and others who provide care to seniors;

---crisis prevention services that help seniors avoid the necessity of entering a nursing home due to unforeseen, one-time circumstances;

---and meals on wheels, which has permitted so many senior citizens to continue living independently in their homes.

This new assistance for Missouri's senior citizens is not just good for seniors; it makes good economic sense for Missouri taxpayers as well.

Our seniors have given each of us -- individually and as a society -- more than we can ever repay.

So, as Washington considers what its commitment to the elderly will be, I want them to know that Missouri's commitment will remain strong.

STRONG ECONOMY

Our commitment to jobs and economic growth must also remain strong.

When I first assumed office, our economy was not living up to its expectations.

Today, we are outpacing the nation.

In the past year alone, the number of jobs in Missouri has grown 4.6 percent --compared to just 1.4 percent for the nation.

And, over 230 companies either located or expanded operations here last year alone, pumping more than one billion dollars in new investments into our state.

Overall, we gained about 112,000 new jobs during our last budget year.

As a result, Missouri's current unemployment rate is lower today than at any time during the past twenty years.

It stands at just 3.2 percent -- much lower than the national rate.

And growth in personal income for Missourians is far surpassing the nation.

It seems clear that Missouri has indeed become a good place to do business and a good place to earn a living.

While this is good news for most of us, we must remember there are still Missourians out there who can't find work.

We must continue this progress, create more good jobs, and invest in training so that everyone who wants to work can find a job in Missouri.

If our strong economy is to continue, we must pay particular attention to our transportation needs.

After all, Missouri lies at the heart of this nation's commerce.

Our road, port, airport, rail, urban, and rural transit systems are vital parts of our commerce and every day life.

We are already a huge exporter and the starting point for billions of dollars in international trade.

Our favorable geographic location gives us a tremendous economic edge.

We have a good start on placing each piece of the transportation puzzle together.

But it is essential that we develop an effective, well-planned strategy to make the most of our transportation resources, ensure that they are coordinated, and identify any improvements that need to be made.

That is why I will be appointing a special Total Transportation Commission with representation from across the state.

This commission will evaluate our transportation needs and examine how our sources of transportation should be integrated as well as how our transportation financial resources should be distributed over the next decade.

FISCAL RESPONSIBILITY AND TAX CUTS

One reason for our economic success has been our tradition of fiscal responsibility.

This year, we should be proud that Financial World, one of the nation's most-respected business publications, ranked Missouri as the third best managed state in the nation.

Financial World cited our "excellent long-range planning," our "conservative accounting and budgeting," and our "results-oriented approach" as reasons for awarding Missouri this honor.

The publication also praised our innovative budget process, which demands that each year, we go back and review previous spending to determine which programs work and which should be cut.

This year, after extensive and painstaking review, I am calling for cuts totaling over 60

million dollars.

Since becoming governor in 1993, I have proposed cutting over 275 million dollars in unnecessary spending and have redirected those funds toward high priority areas such as education and fighting crime.

And for the second year in a row, my budget includes a reduction in the total number of state employees.

This reduction is made possible by increasing productivity through investments in technology and by privatizing some government functions.

Financial World is right.

When it comes to fiscal responsibility, Missouri is among the nation's leaders.

We have very low debt -- and we will pay off some of the debt we do have with this budget.

We have a Triple-A bond rating from all three major rating agencies.

We have lower state taxes than at least 44 other states.

And now, we are preparing to give Missourians a much greater voice in future tax decisions.

With your approval, I have put on the ballot this coming April, the tax limitation amendment proposed jointly by my office and the Missouri Farm Bureau.

Our proposed amendment will keep taxes down by requiring that all major tax increases bet
submitted to a vote of the people.

I encourage you once more to actively support this simple and common-sense tax limitation plan.

It will give Missourians the final say on all major tax decisions.

When you combine the strength of Missouri's economy, our dedication to fiscal responsibility, and our commitment to innovation, we get a recipe for some powerful results.

For example, over the past three years, we have concentrated a great deal of effort on reforming welfare in Missouri.

We've overhauled the program and made innovative changes to help welfare recipients get off
welfare, move into private sector jobs, and become self-sufficient.

As a result of our welfare reform initiatives and our strong economy, the number of people on AFDC, the state's major welfare program, has declined by about 26,000 over the past two years.

This is real reform and real progress which will pay long-term dividends for Missouri families and taxpayers.

And now, our recipe for success is making it possible for us to cut taxes.

I am proposing a permanent quarter-cent cut in Missouri's sales tax -- the first sales tax cut in the history of the state.

In addition to this sales tax cut, there will also be a tax refund for 1996.

This is over and above the tax refund I announced in 1995.

The combination of Missouri's strong economic growth and our commitment to fiscal responsibility make these tax cuts affordable, and in fact, necessary to meet our responsibilities under Missouri's revenue limit.

PAY PLAN

To deliver high quality services to taxpayers, the state must be able to compete for qualified and efficient employees.

However, state employee salaries have not kept pace with inflation and remain on the average 20 percent below market rates for comparable jobs.

This wide disparity between our pay scale and the private sector pay scale continues to make it difficult for our state to recruit and retain qualified employees in many job classes.

To help remedy this problem and assist state employees in keeping up with inflation, I am proposing a salary

increase of two percent for state employees plus marketplace salary increases for successful employees as recommended by the Commission on Management and Productivity.

Under my proposal, state employees will receive an average increase of 5.8 percent.

Tenth Day-Wednesday, January 17, 1996

FEDERAL BUDGET CUT PREPARATION

As we all know, the best laid plans may be affected by decisions made a thousand miles away in Washington.

No state in the Union will be able to address all the unmet needs, if the more radical Congressional budget plans are implemented over the next months and years.

We continue to wait for Washington to make decisions which will have a great impact here in Missouri.

We do not know the outcome of those decisions yet, but there are some prudent steps which we can and must take to prepare for the dramatic changes in federal fiscal policy that may soon unfold.

To help us meet the challenges ahead, I will appoint a commission to help us assess the effect of these impending changes.

This commission will obtain vital input from our local communities, citizens, and Missouri businesses.

It will develop policy options and make recommendations to us about how state government can best restructure to meet the challenges and take advantage of any opportunities coming from Washington.

Second, we will build a substantial reserve in the rainy day fund.

My recommendations include increasing this fund to 115 million dollars, or about two and one- half percent of general revenue collections.

The rainy day fund will give us the flexibility to deal effectively with the economic effects of federal policy changes.

Third, I propose increasing the reserve funds we count on to deal with emergencies, federal contingencies, and economic downturns.

Next, we must continue to keep Missouri a low debt state.

This year, we will use significant one-time resources to retire high-interest state debt.

This action will save Missouri taxpayers tens of millions in long-term interest costs.

All of these steps are essential if we are to be ready for the changes that are coming from Washington.

I'd like to point out that Washington could learn a lesson from the Missouri General Assembly in responsible budgeting.

Under the capable leadership of Senator Lybyer and Representative Lumpe, you pass responsible balanced budgets, and you pass them on time.

CONCLUSION

I know I have placed a lot on your plate.

But working together we have been able to accomplish a lot during the past three years -- and we can do it again.

I also know that each of you in this body -- Democrat and Republican, rural and urban, young and old--share a common goal, if not always a common path.

That goal is our state motto --"Let the welfare of the people be the supreme law."

This is the cause that bonds us together, and the one that I hope will direct our course during the months ahead.

Missouri has energy, talent, and an innovative spirit that we haven't even begun to tap.

Let's use them now to build a Missouri legacy that Kendra Davis and all the other children of this state will be proud to inherit.

Kendra, I promise you we will do our best to live up to your expectations.

We want Missouri to continue to be a state where you, like thousands of other young Missourians, can stay healthy, get a good education, find a good job, and some day, if you choose, raise a family of your own.

The Joint Session was dissolved by the Lieutenant Governor.

Speaker Pro Tem Daniels assumed the Chair.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 46 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1128 through **HB 1145** were read the second time.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1146, introduced by Representative Backer, et al, relating to the state personnel law.

HB 1147, introduced by Representative Jacob, relating to taxation.

HB 1148, introduced by Representatives Mitchell, Oetting and Long relating to tax deduction for health coverage costs for certain taxpayers.

HB 1149, introduced by Representative Jacob, relating to operation of excursion gambling boats.

HB 1150, introduced by Representative Jacob, relating to operation of excursion gambling boats.

HB 1151, introduced by Representative Lumpe, relating to certain health plans for state employees.

HB 1152, introduced by Representative Crump (152), relating to certain health care insurers.

HB 1153, introduced by Representatives Murray (69) and May (108), relating to health care benefits for maternity care.

HB 1154, introduced by Representative Murray (69), relating to public employees.

HB 1155, introduced by Representative Scheve, relating to certain tax credits.

HB 1156, introduced by Representative Scheve, relating to gubernatorial appointments.

HB 1157, introduced by Representative Scheve, relating to the care of animals.

HB 1158, introduced by Representative Scheve, relating to the state income taxes.

HB 1159, introduced by Representative Scheve, relating to licensed gaming activities.

HB 1160, introduced by Representatives Kelly (27), Boucher, Ostmann and Murray (69), et al relating to adoption.

HB 1161, introduced by Representative O'Toole, et al , relating to veterans.

HB 1162, introduced by Representative O'Toole, et al, relating to real estate transactions.

HB 1163, introduced by Representative O'Toole, et al, relating to requirements of certain equipment on school buses.

HB 1164, introduced by Representative O'Toole, et al, relating to establishing the automobile theft prevention fund.

HB 1165, introduced by Representatives O'Toole and May (108), et al, relating to crime victims.

HB 1166, introduced by Representatives McClelland and Days, relating to scholarships.

HB 1167, introduced by Representative Bray, et al, relating to the department of highways and transportation.

HB 1168, introduced by Representatives Crum (112) and Sombart, et al, relating to Missouri's peace officer memorial day.

HB 1169, introduced by Representatives Williams (121), Sallee and Hosmer, relating to minors under the age of twenty-one operating motor vehicles after consuming alcohol.

HB 1170, introduced by Representative Schilling, relating to motor vehicles.

HB 1171, introduced by Representative Tate, relating to the Missouri rural economic development council.

HB 1172, introduced by Representatives Jacob and Murray (69), relating to sales and use tax.

HB 1173, introduced by Representative Green, relating to motor vehicles.

HB 1174, introduced by Representative May (108), relating to the towing of motor vehicles.

HB 1175, introduced by Representative Tate, relating to fences.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman Pauley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 74, 75, 77, 78, 79, 80, 81, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113,** begs leave to report it has examined the same and recommends that they **Do Pass**.

COMMITTEE CHANGES

1996

Representative Jim Barnes no longer a member of Accounts, Operations and Finance; and Miscellaneous Bills and Resolutions.

Representative Charlie Shields appointed a member of Rules, Joint Rules and Bills Perfected and Printed Committee.

The following members' presence were noted: Representatives Heckemeyer, Hickey and Jacob.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, January 18, 1996.

Tenth Day-Wednesday, January 17, 1996

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Ninth Day, Tuesday, January 16, 1996, page 6, line 14, by deleting all of said line and inserting in lieu thereof the following:

The following members' presence were noted: Reynolds and Leake.

COMMITTEE MEETINGS

BUDGET

Tuesday, January 23, 1996, 8:30 am. Hearing Room 9. Supplemental Appropriations

BUDGET

Tuesday, January 23, 1996. Hearing Room 9 upon morning adjournment. Supplemental Appropriations

BUDGET

Wednesday, January 24, 1996, 8:30 am. Hearing Room 9. Supplemental Appropriations

BUDGET

Wednesday, January 24, 1996. Hearing Room 9 upon morning adjournment.

Supplemental Appropriations. Possible Executive Session

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 23, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 833, HB 895, HB 917, HB 972, HB 791

INSURANCE

Tuesday, January 23, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 844, HB 930

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 24, 1996, 8:30 am. Hearing Room 7.

To be considered - HB 815, HB 985, HB 822, HB 819

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 2.

To be considered - HB 883

TOURISM, RECREATION AND CULTURAL AFFAIRS

Wednesday, January 24, 1996, 3:00 pm. House Lounge. Joint House and Senate.

Tourism Comm. Mtg. Presentation by the MO Division of Tourism

Tenth Day-Wednesday, January 17, 1996

HOUSE CALENDAR

ELEVENTH DAY, THURSDAY, JANUARY 18, 1996

HOUSE BILLS FOR SECOND READING

HB 1146 through HB 1175

COURTESY RESOLUTIONS

HR 4 - Crump

HR 5 - Hartzler (124)

HR 6 - Kauffman

HR 7 - Luetkenhaus

HR 8 - Klumb

HR 9 - Surface

HR 11 - Scheve

HR 12 - Scheve

HR 13 - Cierpiot

HR 14 - Griffin

HR 15 - Rizzo

HR 16 - Williams (121)

HR 74 - Smith

HR 75 - Heckemeyer

HR 77 - Pryor

HR 78 - Richardson

HR 79 - Bartelsmeyer

HR 80 - Shields

HR 81 - Shields

HR 83 - McClelland

HR 84 - McClelland

HR 85 - Cierpiot

HR 86 - Bonner

HR 87 - Bonner

HR 88 - Bonner

HR 89 - Bonner

HR 90 - Bonner

HR 91 - Harlan

HR 92 - Harlan

HR 93 - Mitchell

HR 94 - Gaw

HR 95 - Sallee

HR 96 - Wiggins

HR 97 - Fitzwater

HR 98 - Cooper

HR 99 - Boucher

HR 100 - Murray (69)

HR 101 - Hartzler (124)

HR 102 - Gaw

HR 103 - Reynolds

HR 104 - Howerton

HR 105 - Williams (159)

HR 106 - Williams (159)

HR 107 - Williams (159)

HR 108 - Smith

HR 109 - Goward

HR 110 - Goward

HR 111 - Goward

HR 112 - Skaggs

HR 113 - Farmer

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House Journal

Second Regular Session, 88th General Assembly

ELEVENTH DAY, Thursday, January 18, 1996

Speaker Gaw in the Chair.

Prayer by Rev. Mark K. Tyler.

Dear Lord,

Woe is me. Woe is me. For I am undone. For I am a man of unclean lips and I dwell in the midst of a people with unclean lips. God, we stand before you with our sin exposed seeking your forgiveness. Turn now your ear to the prayer of your servant. Lord, we thank you for stirring us this morning and giving us the strength to rise. We thank you, for we know all our blessings come from you.

Now Lord, we ask in a special way that you enter into these halls of state government. Send down your Spirit of wisdom and guidance and let it lead these, the elected servants of the State of Missouri. Bless the Governor, the Lieutenant Governor, the House Speaker and the Pro Tem, bless each Senator and Representative, and each staff person.

Cause them to stand for right, when it may be more convenient to sit. Challenge them to put You first when some would rather forget You. Inspire them to stand boldly for the truth, when some would rather overlook it. Then Lord, will we be ever careful to give you the praise, the glory and the honor, in Your name we pray.

Amen.

The Pledge of Allegiance to the flag was recited.

RESOLUTIONS

Representative Williams (159) offered House Resolution No. 116, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution No. 117, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 118, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 119, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1146 through **HB 1175** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 42 - Civil and Criminal Law

HJR 43 - Government Organization and Review

HJR 44 - Energy and Environment

HJR 45 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 929 - Insurance

HB 981 - Children, Youth and Families

HB 1026 - Public Health and Safety

HB 1027 - Municipal Corporations

HB 1028 - Civil and Criminal Law

HB 1029 - Governmental Organization and Review

HB 1030 - Judiciary and Ethics

HB 1031 - Ways and Means

HB 1032 - Civil and Criminal Law

HB 1033 - Urban Affairs

HB 1034 - Civil and Criminal Law

HB 1035 - Professional Registration and Licensing

HB 1036 - Public Health and Safety

HB 1037 - Education - Elementary and Secondary

HB 1038 - Ways and Means

HB 1039 - Education - Elementary and Secondary

HB 1040 - Science, Technology and Critical Issues

HB 1041 - State Parks, Recreation and Natural Resources

HB 1042 - Children, Youth and Families

HB 1043 - Energy and Environment

HB 1044 - Children, Youth and Families

HB 1045 - Ways and Means

HB 1046 - Children, Youth and Families

HB 1048 - Correctional and State Institutions

HB 1049 - Local Government and Related Matters

HB 1050 - Civil and Criminal Law

HB 1051 - Local Government and Related Matters

HB 1052 - Education - Elementary and Secondary

HB 1053 - Energy and Environment

HB 1054 - Urban Affairs

HB 1055 - Social Services, Medicaid and the Elderly

HB 1056 - Science, Technology and Critical Issues

HB 1057 - Motor Vehicle and Traffic Regulations

HB 1058 - Miscellaneous Bills and Resolutions

HB 1059 - Insurance

HB 1060 - Insurance

HB 1061 - Ways and Means

HB 1062 - Insurance

HB 1063 - Ways and Means

HB 1064 - Judiciary and Ethics

HB 1065 - Science, Technology and Critical Issues

HB 1066 - Insurance

HB 1067 - Motor Vehicle and Traffic Regulations

HB 1068 - Commerce

HB 1069 - Children, Youth and Families

HB 1070 - Professional Registration and Licensing

HB 1072 - Education - Elementary and Secondary

HB 1073 - Correctional and State Institutions

HB 1074 - Insurance

HB 1075 - Labor

HB 1076 - Federal-State Relations and Veterans Affairs

HB 1077 - Public Health and Safety

HB 1078 - Civil and Criminal Law

HB 1079 - Education - Elementary and Secondary

HB 1080 - Public Health and Safety

HB 1081 - Public Health and Safety

HB 1082 - Correctional and State Institutions

HB 1083 - Local Government and Related Matters

HB 1084 - Public Health and Safety

HB 1085 - Energy and Environment

HB 1086 - Civil and Criminal Law

HB 1087 - Insurance

HB 1088 - Commerce

HB 1089 - Children, Youth and Families

HB 1090 - Judiciary and Ethics

HB 1091 - Agri-Business

HB 1092 - Local Government and Related Matters

HB 1093 - Local Government and Related Matters

HB 1094 - Civil and Criminal Law

HB 1095 - Motor Vehicle and Traffic Regulations

HB 1096 - Civil and Criminal law

HB 1097 - Science, Technology and Critical Issues

HB 1098 - Governmental Organization and Review

HB 1099 - Agri-Business

HB 1100 - Professional Registration and Licensing

HB 1101 - Transportation

HB 1102 - Commerce

HB 1103 - Energy and Environment

HB 1104 - Children, Youth and Families

HB 1105 - Civil and Criminal Law

HB 1106 - Civil and Criminal Law

HB 1107 - Children, Youth and Families

HB 1109 - Children, Youth and Families

HB 1110 - Professional Registration and Licensing

HB 1111 - Labor

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1014, introduced by Representative Lumpe, relating to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms and corporations.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 47, introduced by Representative Murray (69), et al, relating to an additional sales tax for juvenile detention, intervention and prevention to get juvenile offenders off the street.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1176, introduced by Representatives Crump (152), Rizzo and Barnes, relating to expungement of certain criminal records.

HB 1177, introduced by Representatives McClelland and Williams (159), relating to unclaimed property proceeds.

HB 1178, introduced by Representatives Canuteson, Hosmer and Barnes, relating to state buildings.

HB 1179, introduced by Representative Cooper, relating to admission fees on excursion boats.

HB 1180, introduced by Representative Williams (159), relating to the administration of the judiciary.

HB 1181, introduced by Representative May (108), relating to infractions.

HB 1182, introduced by Representatives Wooten, Kreider and Hosmer, et al, relating to veterans' cemeteries.

HB 1183, introduced by Representative Wooten, relating to hospital safety.

HB 1184, introduced by Representative Wieland, et al, relating to campaign contributions.

HB 1185, introduced by Representatives McClelland and Kauffman, relating to waiving administrative rules for school districts.

HB 1186, introduced by Representative Luetkenhaus, relating to emergency services.

HB 1187, introduced by Representative Foley, relating to certain employment rights for emergency response personnel.

HB 1188, introduced by Representative Ostmann, et al, relating to providing educational services to children.

HB 1189, introduced by Representative Ostmann, et al, relating to agency reporting requirements.

HB 1190, introduced by Representative Schwab, et al, relating to certain fees in criminal cases.

HB 1191, introduced by Representative Schwab, et al, relating to certain agricultural transactions.

HB 1192, introduced by Representatives O'Neill and Dougherty, et al, relating to certain police retirement and pension systems.

HB 1193, introduced by Representative Alter, et al, relating to firearms.

HB 1194, introduced by Representative Alter, et al, relating to crimes and punishment.

HB 1195, introduced by Representative Alter, et al, relating to the return of property confiscated by law enforcement authorities to the rightful owner.

HB 1196, introduced by Representative Alter, et al, relating to motor vehicles.

HB 1197, introduced by Representatives Alter and Hall, et al, relating to juries.

HB 1198, introduced by Representative Klumb, relating to administration of estates.

HB 1199, introduced by Representative Reynolds, relating to peace officers.

HB 1200, introduced by Representative Tate, relating to the transient guest tax.

HB 1201, introduced by Representative Reynolds, relating to students.

HB 1202, introduced by Representative Prost, relating to certain health insurance benefits following the birth of a child.

HB 1203, introduced by Representative Dougherty, relating to the provision of heat-related utility services to low-income persons.

HB 1204, introduced by Representative Wiggins, et al, relating to agricultural products.

HB 1205, introduced by Representatives Tate and Kelly (27), relating to cooperative marketing associations.

HB 1206, introduced by Representative Hosmer, relating to health insurance.

HB 1207, introduced by Representatives Tate and Summers, et al, relating to the department of natural resources.

HB 1208, introduced by Representative Backer, relating to state employees .

COMMITTEE REPORT

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1047**, begs leave to report it has examined the same and recommends that it **Do Pass With House Committee Amendment No. 1.**

Eleventh Day-Thursday, January 18, 1996

WITHDRAWAL OF HOUSE BILL

January 18, 1996

The Honorable Steve Gaw, Speaker

House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 888** be withdrawn. Thank you for your consideration of this request.

Respectfully submitted,

/s/ Chuck Gross

The following members' presence were noted: Akin, Auer, Backer, Ballard, Barnett, Bartelsmeyer, Bennett, Bland, Boatright, Bonner, Boucher, Bray, Broach, Brown, Burton, Canuteson, Carter, Champion, Childers, Chrismer, Cierpiot, Clayton Cooper, Crum (112), Crump (152), Daniel (42), Daniels (41), Davis, Days, Donovan, Dougherty, Enz, Evans, Farmer, Farnen, Fiebelman, Fitzwater, Foley, Ford, Foster, Franklin, Froelker, Garnett, Gaskill, Goward, Graham, Gratz, Green, Griesheimer, Gross, Gunn, Hagan-Harrell, Hall, Hand, Harlan, Hartzler (123), Hartzler (124), Heckemeyer, Hegeman, Henderickson, Hickey, Hohulin, Hoppe, Hosmer, Howerton, Jacob, Kasten, Kauffman, Keeven, Kelley (47), Kelly (27), Kissell, Klumb, Koller, Kreider, Lakin, Leake, Legan, Levin, Liese, Linton, Lograsso, Long, Loudon, Luetkenhaus, Lumpe, Marshall (26), Marshall (133), May (108), Mays (50), McClelland, McLuckie, Mitchell, Montgomery, Murphy, Murray (69), Murray (135), Naeger, Nordwald, O'Connor, O'Neill, O'Toole, Oetting, Ostmann, Overschmidt, Pouche, Prost, Reynolds, Ribaudo, Richardson, Ridgeway, Rizzo, Robirds, Ross, Sallee, Scheve, Schilling, Schwab, Scott, Sears (1), Secrest, Shear (83), Sheldon (140), Shelton (57), Shields, Skaggs, Smith, Sombart, Steen, Stokan, Stoll, Summers, Surface, Tate, Thomason (163), Van Zandt, Wannenmacher, Ward, Whiteside, Wieland, Wiggins, Williams (121), Williams (159), Witt, Wooten and Mr. Speaker.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, January 22, 1996.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 24, 1996, 3:00 pm. Hearing Rooms 3 & 4.

To be considered - HB 913

BUDGET

Tuesday, January 23, 1996, 8:30 am. Hearing Room 9. Supplemental Appropriations

Eleventh Day-Thursday, January 18, 1996

BUDGET

Tuesday, January 23, 1996. Hearing Room 9 upon morning adjournment.

Supplemental Appropriations

BUDGET

Wednesday, January 24, 1996, 8:30 am. Hearing Room 9. Supplemental

Appropriations

BUDGET

Wednesday, January 24, 1996. Hearing Room 9 upon morning adjournment.

Supplemental Appropriations. Possible Executive Session

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 24, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 788, HB 904, HB 966, HB 794, HB 807, HB 936, HB 1069, HB 1153

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 23, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 833, HB 895, HB 917, HB 972, HB 791

ELECTIONS

Tuesday, January 23, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 845, HB 846, HB 893

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, January 22, 1996, 8:00 pm. Hearing Room 2.

To be considered - Executive Session - HB 1115, HB 832

FEES AND SALARIES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 1.

To be considered - HB 937

INSURANCE

Tuesday, January 23, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 844, HB 930

LABOR

Tuesday, January 23, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 839, HB 879

LOCAL GOVERNMENT

Tuesday, January 23, 1996, 3:00 pm. Hearing Rooms 3 & 4. Executive Session to Follow

To be considered - HB 779, HB 943, HB 827, HB 924, HB 767

Eleventh Day-Thursday, January 18, 1996

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 24, 1996, 8:30 am. Hearing Room 7.

To be considered - HB 815, HB 985, HB 822, HB 819

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 23, 1996, 8:00 pm. Hearing Room 5. Executive Session to follow on HJR 40 & HB 905

To be considered - HJR 40, HB 905, HB 769

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 2.

To be considered - HB 883

SUB-COMMITTEE ON EDUCATION & SECONDARY SAFE SCHOOLS

Monday, January 22, 1996, 2:00 pm. Hearing Room 7. Review of draft on safe schools

TOURISM, RECREATION AND CULTURAL AFFAIRS

Wednesday, January 24, 1996, 3:00 pm. House Lounge. Joint House and Senate. Tourism Comm. Mtg. Presentation by the MO Division of Tourism

URBAN AFFAIRS

Tuesday, January 23, 1996, 8:00 pm. Hearing Room 2. Executive Session May Follow

To be considered - HB 956

WORKERS' COMPENSATION AND EMPLOYMENT SECURITY

Monday, January 22, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 765

HOUSE CALENDAR

TWELFTH DAY, MONDAY, JANUARY 22, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 47

HOUSE BILLS FOR SECOND READING

HB 1014

HB 1176 through HB 1208

HOUSE BILL FOR PERFECTION

HB 1047, HCA 1 - Thomason (163)

Eleventh Day-Thursday, January 18, 1996

COURTESY RESOLUTIONS

HR 3 - Fiebelman

HR 4 - Crump

HR 5 - Hartzler (124)

HR 6 - Kauffman

HR 7 - Luetkenhaus

HR 8 - Klumb

HR 9 - Surface

HR 11 - Scheve

HR 12 - Scheve

HR 13 - Cierpiot

HR 14 - Griffin

HR 15 - Rizzo

HR 16 - Williams (121)

HR 74 - Smith

HR 75 - Heckemeyer

HR 77 - Pryor

HR 78 - Richardson

HR 79 - Bartelsmeyer

HR 80 - Shields

HR 81 - Shields

HR 83 - McClelland

HR 84 - McClelland

HR 85 - Cierpiot

HR 86 - Bonner

HR 87 - Bonner

HR 88 - Bonner

HR 89 - Bonner

HR 90 - Bonner

HR 91 - Harlan

HR 92 - Harlan

HR 93 - Mitchell

HR 94 - Gaw

HR 95 - Sallee

HR 96 - Wiggins

HR 97 - Fitzwater

HR 98 - Cooper

HR 99 - Boucher

HR 100 - Murray (69)

HR 101 - Hartzler (124)

HR 102 - Gaw

HR 103 - Reynolds

HR 104 - Howerton

HR 105 - Williams (159)

HR 106 - Williams (159)

HR 107 - Williams (159)

HR 108 - Smith

HR 109 - Goward

HR 110 - Goward

HR 111 - Goward

HR 112 - Skaggs

HR 113 - Farmer

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Who is your Representative?
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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

TWELFTH DAY, Monday, January 22, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

This month, the Islamic community celebrates its daily fast from sunrise to sundown to commemorate the delivery of the Qu'ran (Koran) to the Prophet Mohammed.

We celebrate this special time for our brothers and sisters and pray for a renewed spirit of fidelity to you, the One God, which is the keystone of their beliefs.

We pray also for continued reconciliation between the three monotheistic faiths, Judaism, Christianity and Islam, and for the end of misunderstanding and our tendency to judge others by what their extremists have done or still do.

This requires a conversion of heart for all of us, gracious Lord, a willingness to listen and to repent. We pray especially for the Islamic families and victims, whose bodies were just discovered in Sarajevo and for the ethnic conflict there and in other parts of the world, where denial of basic dignity by one group toward others and the unwillingness to share the fragile space of this earth often carries a religious label.

May we listen to the holy men and women and the prophets of all our major faiths, whose healing words and deeds are often overshadowed by the harsh words and the bombs and guns of the extremists. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the tenth day was approved as corrected and the Journal of the eleventh day was approved as corrected by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell

Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Griffin	Hoppe	Jacob	Klumb
Linton	Morgan			

VACANCY: 001

RESOLUTIONS

Representative Harlan offered House Resolution No. 120, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears offered House Resolution No. 121, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears offered House Resolution No. 122, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution No.123, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 124, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 3 through 9, 11 through 16, 74 through 75, 77 through 81 and 83 through 113 were taken up.

On motion of Representative Backer, House Resolution Nos. 3 through 9, 11 through 16, 74 through 75, 77 through 81 and 83 through 113 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 47 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1014, HB 1176 through **HB 1208** were read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 41 - Governmental Organization and Review

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 781 - Social Services, Medicaid and the Elderly

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1209, introduced by Representative Childers, et al, relating to academic standards.

HB 1210, introduced by Representative Childers, et al, relating to watercraft.

HB 1211, introduced by Representative Childers, et al, relating to school taxes on certain railroad property.

HB 1212, introduced by Representative Dougherty, relating to animals.

HB 1213, introduced by Representative Dougherty, relating to animal abuse.

HB 1214, introduced by Representatives Koller, Skaggs, Prost, Montgomery, Thomason (163) and Bray, relating to certain wild animals.

HB 1215, introduced by Representative Leake, relating to state aid for certain roads.

HB 1216, introduced by Representative Whiteside, et al, relating to the department of corrections.

HB 1217, introduced by Representative Shear, et al, relating to a certain health insurance coverage.

HB 1218, introduced by Representative Levin, relating to scenic byways.

HB 1219, introduced by Representative Green, relating to taxation.

HB 1220, introduced by Representative Lumpe, relating to certain health care coverage.

HB 1221, introduced by Representative Farnen, relating to certain county officials.

HB 1222, introduced by Representative Schilling, et al, relating to public infrastructure.

HB 1223, introduced by Representative Marshall (133), et al, relating to sales taxes on motor vehicles.

HB 1224, introduced by Representative Scheve, relating to certain merchandising practices.

HB 1225, introduced by Representatives Scheve and McClelland, relating to school taxes on certain railroad property.

HB 1226, introduced by Representative Harlan, relating to public assistance benefits.

HB 1227, introduced by Representative Harlan, relating to environmental protection.

HB 1228, introduced by Representative Harlan, relating to the sunshine law.

HB 1229, introduced by Representative Pouche, relating to boards and commissions.

HB 1230, introduced by Representative Pouche, relating to sales and use tax.

HB 1231, introduced by Representative Shields, relating to criminal procedure.

HB 1232, introduced by Representative Shields, relating to statute of limitations for disciplinary actions against professionally licensed persons.

HB 1233, introduced by Representative Foley, relating to certain officers in certain cities.

HB 1234, introduced by Representatives Mitchell, Hartzler, Hand and Sallee, relating to income taxation.

HB 1235, introduced by Representatives Gibbons, Griesheimer and Tatum-Brown, et al, relating to school taxes levied on the distributable property of railroad companies.

HB 1236, introduced by Representative Montgomery, et al, relating to Texas County State Technical College.

HB 1237, introduced by Representative Rizzo, relating to economic development.

HB 1238, introduced by Representative Legan, et al, relating to livestock theft.

HB 1239, introduced by Representative O'Neill, et al, relating to certain police retirement systems.

WITHDRAWAL OF HOUSE BILL

January 17, 1996

The Honorable Steve Gaw, Speaker

Missouri House of Representatives

State Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to request that **House Bill 950**, pertaining to driving with a positive blood alcohol content, be withdrawn.

Respectfully submitted,

/s/ DELETA WILLIAMS

Representative

District 21

The following member's presence was noted: Hoppe.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, January 23, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Tenth Day, Wednesday, January 17, 1996, Page 4,with a positive blood roll call, by showing Representative Crum (112) voting "aye" rather thantive blood "absent with leave".

Correct House Journal, Eleventh Day, Thursday, January 18, 1996, page 1, by inserting after line 20 the following:

Representative Hohulin offered House Resolution No.113, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No.114, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Twelfth Day-Monday, January 22, 1996

Page 5, by inserting after line 34 the following:

House Committee Amendment No. 1

AMEND House Bill No. 1047, Page 2, Section 304.010, Line 18, by deleting the word "**fifty-five**" and inserting in lieu thereof the word "**sixty**"; and

Further amend said bill, Page 2, Section 304.010, Line 21, by deleting the word "**fifty-five**" and inserting in lieu thereof the word "**sixty**"; and

Further amend said bill, Page 2, Section 304.010, Lines 22 through 27, by deleting all of said lines; and

Further amend said bill, Page 2, Section 304.010, Line 28, by deleting the number "**4.**" and inserting in lieu thereof the number "**3.**"; and

Further amend said bill, Page 2, Section 304.010, Line 32, by inserting after the word "**transportation**" the following: "**or if the department of public safety believes for safety reasons a lower speed limit is warranted**"; and

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 24, 1996, 3:00 pm. Hearing Rms. 3 & 4 AMENDED.

Executive Session Follows

To be considered - HB 913

BUDGET

Tuesday, January 23, 1996, 8:30 am. Hearing Room 9. Supplemental

Appropriations

BUDGET

Tuesday, January 23, 1996. Hearing Room 9 upon morning adjournment.

Supplemental Appropriations

BUDGET

Wednesday, January 24, 1996, 8:30 am. Hearing Room 9. Supplemental

Appropriations

BUDGET

Wednesday, January 24, 1996. Hearing Room 9 upon morning adjournment.

Supplemental Appropriations. Possible Executive Session

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 24, 1996, 8:00 am. Hearing Rooms 1 & 2.

To be considered - HB 992

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 24, 1996, 8:00 pm. Hearing Rm. 8.

To be considered - HB 788, HB 904, HB 966, HB 794, HB 807, HB 936,

HB 1069, HB 1153

Twelfth Day-Monday, January 22, 1996

CIVIL AND CRIMINAL LAW

Wednesday, January 24, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 821, HB 800, HB 803, HB 838, HB 796, HB 798

COMMERCE

Wednesday, January 24, 1996, 8:00 pm. Hearing Room 9.

To be considered - HB 849, HB 989, HB 938, HB 982, HB 960

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 23, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 833, HB 895, HB 917, HB 972, HB 791

EDUCATION - HIGHER

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 980, HB 957, HB 918

ELECTIONS

Tuesday, January 23, 1996, 8:00 pm. Hearing Rm. 7.

To be considered - HB 845, HB 846, HB 893

FEES AND SALARIES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 1.

To be considered - HB 937

INSURANCE

Tuesday, January 23, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 844, HB 930

JUDICIARY AND ETHICS

Tuesday, January 23, 1996, 3:00 pm. Hearing Room 5. Executive Session may follow

To be considered - HB 912, HB 933, HB 941, HB 977, HB 886

LABOR

Tuesday, January 23, 1996, 8:00 pm. Hearing Rm. 8.

To be considered - HB 839, HB 879

LOCAL GOVERNMENT

Tuesday, January 23, 1996, 3:00 pm. Hearing Rms. 3 & 4. Executive Session to Follow

To be considered - HB 779, HB 943, HB 827, HB 924, HB 767

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 24, 1996, 8:30 am. Hearing Room 7.

To be considered - HB 815, HB 985, HB 822, HB 819

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 23, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 773, HB 782, HB 809, HB 814

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 24, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 785, HB 896, HB 958, HB 967, HB 1110

PUBLIC HEALTH AND SAFETY

Tuesday, January 23, 1996, 3:00 pm. Hearing Room 9.

To be considered - HB 806, HB 831, HB 861, HB 931

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 23, 1996, 8:00 pm. Hearing Rm. 5. Executive Session to follow on HJR 40 & HB 905

To be considered - HJR 40, HB 905, HB 769

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 2.

To be considered - HB 883

TOURISM, RECREATION AND CULTURAL AFFAIRS

Wednesday, January 24, 1996, 3:00 pm. House Lounge. Joint House and Senate. Tourism Comm. Mtg. Presentation by the MO Division of Tourism

TRANSPORTATION

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 5. Executive Session to follow.

To be considered - HB 922, HB 1101

URBAN AFFAIRS

Tuesday, January 23, 1996, 8:00 pm. Hearing Rm. 2 CANCELLED. Executive Session may follow.

To be considered - HB 956

WAYS AND MEANS

Tuesday, January 23, 1996, 3:00 pm. Hearing Rooms 1 & 2.

To be considered - HB 799, HB 842, HB 1159, HJR 39

Twelfth Day-Monday, January 22, 1996

HOUSE CALENDAR

THIRTEENTH DAY, TUESDAY, JANUARY 23, 1996

HOUSE BILLS FOR SECOND READING

HB 1209 through HB 1239

HOUSE BILLS FOR PERFECTION

HB 1047, HCA 1 - Thomason (163)

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

THIRTEENTH DAY, Tuesday, January 23, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"But for you who fear my name, the Sun of Righteousness will shine out with its healing rays." (Mal. 4:2)

This evening the President will give his annual State of the Nation message. This morning, we lift up in prayer the needs of the United States. The image that came to mind this morning is that of a body. At all times there are unhealthy forms of life in our bodies. Some develop into temporary illnesses. Some become life-threatening and need aggressive treatment. Some can be fatal.

Eternal God of our liberty, we pray for the nation, for a tolerance of the sin and evil that we can handle in a healthy democracy. We pray for a discerning spirit, about how to tackle the more serious threats to our health. Sometimes "the cure is worse than the disease," sometimes we are addicted to a life-style that cancels out even the best medical treatment, or an aggressive treatment in one area sets off new problems.

Gracious God, we can all name the diseases, the threats to our national health. Give us wisdom to resist the wrong prescription and a fearless spirit to do the needed surgery. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twelfth day was approved as corrected by the following vote.

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride

McClelland	McLuckie	Mitchell	Montgomery	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Griffin	Jacob	Klumb	Morgan

Sombart

VACANCY: 001

RESOLUTIONS

Representative Marshall (26) offered House Resolution No. 125, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Montgomery offered House Resolution No. 126, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hagan-Harrell offered House Resolution No. 127, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gibbons offered House Resolution Nos. 128 through 133, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 134, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 135, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Speaker Gaw assumed the Chair.

Speaker Gaw addressed the House.

It is an honor and a privilege to stand before you on a day when we are scheduled to take up and debate our first bill of the 1996 legislative session. The bill, as you all know, will determine the rate of speed Missourians and visitors may travel on our roads.

The road that brings me to Jefferson City each week is Highway 63. Like many of you have discovered during your trips to the Capitol, the roads we travel to get here reveal much about our district and our state. For me, I have found a powerful sense of community in the towns and cities I pass on my 70-mile drive to the capital city.

Just before I pass from Randolph County into Boone, there is a small Amish settlement near the town of Clark. If you drive along the back roads surrounding Clark, you will see several barns that stand as proud testament along the rural Missouri skyline.

Many of these structures were built in a matter of hours when the citizens of that community got together for what we call a barn-raising. On any given barn-raising day, old men work side by side with young boys, passing on their traditions and knowledge to the next generation of builders.

And before you pass from Boone County into Callaway County, there is a road that takes you to the community of Hartsburg. During the floods of 1993 and 1995, the citizens of Hartsburg and the surrounding area came together to fight back the powerful overflow of the Missouri River. Again, citizens of all ages and races stood side by side, forming an assembly line of sandbaggers in an attempt to protect their community.

As I cross over the Missouri River bridge and go into Cole County, I see the Missouri State Capitol, built of Missouri stone and constructed with Missouri hands - a true monument to the people of this state. In these

examples, we see demonstrated proof of the importance of working together. In each situation, no one man or woman was more important than the other - each person played a vital role.

It's no different in the Missouri House of Representatives. At full membership, there are 163 of us that work here and we are all dependent upon one other.

As author Joshua Liebman wrote, even the smallest particles on earth are dependent upon each other. For example, he said carbon atoms form charcoal when related in one way and become diamonds when related in another. A lone atom is a meaningless atom but a related atom is the building stone of nature.

Although science teaches that the natural order of the universe is inclusion, there often seems to be human resistance to this truth. We need to understand that success from interdependence is possible. The power to succeed is gained by empowering each other. All we have to do is open our minds to this truth and move beyond our walls of defensiveness to rebuild the strength that is inherently ours.

We must breathe new life into old thought forms. As Dr. Martin Luther King Jr. wrote from his cell in a Birmingham, Alabama jail: "We are caught in an inescapable network of mutuality, tied in a single garment of destiny. What affects one directly affects all indirectly."

Leading on this journey will not just be my job, although I will do everything in my power to facilitate this process. Leadership instead must become a collaborative effort.

In previous sessions, we have demonstrated that leadership. We balance our state's budget every year. We have approved legislation that has made great strides in education, sentencing, juvenile crime, welfare and health care. We have proven that we believe in investing in Missouri's future.

I am confident we can pull together the wisdom of the experienced and the enthusiasm of the young, the conservative and the liberal, the black and the white, the male and female in this body to write a chapter in Missouri's history book that our grandchildren and theirs will never forget.

The power of our shared vision, and our willingness to use our imaginations to create a new future for this body, will thrust us forward as we not only enter a new century, but also a new millennium.

We have an opportunity to restore the voters' confidence in us by our example. We can inspire them as the leaders we had hoped and dreamed of being. We have the unique opportunity to restore their faith in the democratic process, the way our founding fathers had intended it to work. This means we must make some necessary reforms in the way we do business here.

First, we need to immediately address the use of public funds spent on House travel. Within the next ten days, I will appoint members to a new House committee to evaluate all travel requests received by my office. The committee will ensure that our funds are spent wisely and appropriately.

Not only must we be prudent with our expenditures, but we must also be mindful of our conduct. The public has a fundamental right to expect ethical behavior from its elected officials. It also has a right to expect that a legislative body can police its own members.

Today I propose that the House form a separate Ethics Committee whose sole function would be to consider ethics complaints filed against House members. I believe this would be an important step in restoring public confidence in the legislative branch of government.

Beyond considering changes that will make the House more accountable and its membership more included in the process, I will be supporting other efforts to make information about the Missouri House more accessible. All of us benefit from a more informed electorate.

Later in the session, we will attempt a pilot project to broadcast at least one day of House floor action live so that Missouri schools can use the video in the classroom as a teaching tool.

In addition, Missouri cable television companies may include the signal on their public access channels, perhaps paving the way for the state legislature to be added to a menu that already features local city council meetings and the U.S. Congress.

Additionally, tomorrow the House will unveil a new Internet site that will greatly enhance the public's access to information about the House and the legislation we are considering. This public resource will be available to a worldwide audience of students and citizens 24 hours a day. And working with Rep. Larry Thomason, the House will soon be embarking on a "paper-less chamber" project to make our work in this chamber more productive and efficient.

I believe we can find common ground on these and several other legislative issues this session. Clearly, nothing that we do here is more important than what we do for our children. Our first legislative priority should be to provide a safe environment for our students to learn and our teachers to teach.

Violence in our schools must simply stop. Through improved security measures and letting disruptive students know that there will be serious consequences for their actions, we can bring a calm to the storm of violence that exists in some of our schools. It is time to tear down the walls of violence and ignorance and unlock the

barriers of learning.

But as we unlock those barriers of learning, we cannot afford to throw away a troubled child's opportunity to obtain an education. Any safe schools package this legislature adopts needs to include programs to provide the disruptive student with the opportunity to still receive an education.

It is important to invest in alternative education programs so we do not bear the emotional and financial cost of the failure to educate. Last month, the House Interim Committee to Study Safe Schools and Alternative Education released its recommendations. I urge this body to closely examine the committee's proposals.

Also this year, in keeping with the legislature's commitment to education, I expect the legislature to fully fund the foundation formula for 1997 fiscal year.

Just as a lack of education leads a child down a troubled path, a lack of preventive health care exposes a child unnecessarily to illness. Only one state has a worse immunization rate than Missouri.

The Missouri Department of Health reports that for every dollar we spend toward immunizations, the state can save $21 in future health care costs. Currently, more than one-third of all Missouri two-year-olds are not protected, leaving them dangerously at risk. Just as we put warm clothing on our children in cold weather, we must take steps to protect them from deadly childhood diseases.

We also need to take steps this session to allow women who deliver babies in hospitals a minimum of 48 hours in that facility's care. Some insurance companies are approving payment for only one day in the hospital even though some dangerous health conditions are not revealed during the first day of life. I believe a mother should have the right to choose a 24-hour or 48-hour hospital stay and not be forced into, as one critic put it, "drive-through childbirth."

On the other spectrum of life, I support legislation that would provide an extra layer of safety to our nursing home residents. Nursing homes should have the opportunity to run background checks on prospective employees and keep out people who should not be working there.

Several other issues will demand our time this year. I hope we will use our shared vision and common ground to push hard on the issues we agree on.

This does not mean that we should not talk about the things we disagree about. As long as we continue to keep talking and working together, we can achieve success this session.

There's a saying that I believe is an appropriate metaphor for this body. It says an airplane cannot fly without a wing on the right and a wing on the left.

We are interdependent upon each other, and unless this body works together as a whole, we will not be able to soar this session. Our local communities have proven to us the benefits of collaboration and hard work. Let's follow this example and get to work on behalf of the people of Missouri.

Thank you.

SECOND READING OF HOUSE BILLS

HB 1209 through **HB 1239** were read the second time.

PERFECTION OF HOUSE BILL

HB 1047, with House Committee Amendment No. 1, relating to speed limit, was taken up by Representative Thomason (163).

Representative Boucher offered House Amendment No. 1 to House Committee Amendment No. 1.

Representative Kelley (47) raised a point of order that House Amendment No. 1 to House Committee Amendment No. 1 is not a true amendment.

Representative Lograsso raised a substitute point of order that House Amendment No. 1 to House Committee Amendment No. 1 is dilatory.

The Chair ruled the point of order well taken.

Representative Copeland offered House Amendment No. 1 to House Committee Amendment No. 1.

House Amendment No. 1
to House Committee Amendment No. 1

AMEND House Committee Amendment No. 1, for House Bill No. 1047, appearing in the House Journal for January 22, 1996, Page 5, Lines 6 through 8 of such amendment, by deleting all of said lines and inserting in lieu thereof the following:

"Further amend said bill, Page 2, Section 304.010, Lines 23 through 27, by deleting all of said lines and inserting in

lieu thereof the following: "**more than twenty-four thousand pounds shall be operated in excess of fifty-five miles per hour.**".

Representative Copeland moved that House Amendment No. 1 to House Committee Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 020

Auer	Bland	Boucher	Copeland	Davis
Days	Dougherty	Fitzwater	Harlan	Hendrickson
Hosmer	Lumpe	May 108	Mays 50	Murphy
Reynolds	Shear 83	Treadway	Ward	Williams 121

NOES: 135

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hohulin	Hoppe	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 159	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Bray	Griffin	Jacob	Klumb
Morgan	Sombart			

VACANCY: 001

Representative Tate requested a division of the question.

House Committee Amendment No. 1

PART I

AMEND House Bill No. 1047, Page 2, Section 304.010, Line 18, by deleting the word "**fifty-five**" and inserting in lieu thereof the word "**sixty**"; and

Further amend said bill, Page 2, Section 304.010, Line 21, by deleting the word "**fifty-five**" and inserting in lieu thereof the word "**sixty**"; and

PART II

Further amend said bill, Page 2, Section 304.010, Lines 22 through 27, by deleting all of said lines; and

Further amend said bill, Page 2, Section 304.010, Line 28, by deleting the number "**4.**" and inserting in lieu

thereof the number "**3.**"; and

PART III

Further amend said bill, Page 2, Section 304.010, Line 32, by inserting after the word "**transportation**" the following: "**or if the department of public safety believes for safety reasons a lower speed limit is warranted**"; and

PART II

Further amend said bill, Page 2, Section 304.010, Line 33, by deleting the number "**5.**" and inserting in lieu thereof the number "4."; and

Further amend said bill, Page 2, Section 304.010, Line 39, by deleting the number "**6.**" and inserting in lieu thereof the number "**5.**"; and

Further amend said bill, Page 3, Section 304.010, Line 54, by deleting the number "**7.**" and inserting in lieu thereof the number "**6.**"; and

Further amend said bill, Page 3, Section 304.010, Line 57, by deleting the number "**8.**" and inserting in lieu thereof the number "**7.**"; and

Further amend said bill, Page 3, Section 304.010, Line 60, by deleting the number "**9.**" and inserting in lieu thereof the number "**8.**"; and

Further amend said bill, Page 3, Section 304.010, Line 62, by deleting the number "**10.**" and inserting in lieu thereof the number "**9.**"; and

Further amend said bill, Page 3, Section 304.010, Line 66, by deleting the number "**11.**" and inserting in lieu thereof the number "**10.**".

Representative Kelley (47) offered House Amendment No. 1 to Part I of House Committee Amendment No. 1.

Representative Bennett raised a point of order that House Amendment No. 1 to Part I of House Committee Amendment No. 1 is dilatory.

The Chair ruled the point of order well taken.

Representative Luetkenhaus offered House Amendment No. 1 to Part I of House Committee Amendment No. 1.

Representative Thomason (163) raised a point of order that House Amendment No. 1 to Part I of House Committee Amendment No. 1 is not a true amendment.

House Amendment No. 1 to Part I of House Committee Amendment No. 1 was withdrawn.

HB 1047, with Part I, Part II, Part III of House Committee Amendment No. 1, pending, was laid over.

Thirteenth Day-Tuesday, January 23, 1996

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 46 - Ways and Means

HJR 47 - Science, Technology and Critical Issues

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1014 - Budget

HB 1112 - Transportation

HB 1113 - Education - Elementary and Secondary

HB 1114 - Retirement

HB 1115 - Federal-State Relations and Veterans Affairs

HB 1116 - Insurance

HB 1117 - Social Services, Medicaid and the Elderly

HB 1118 - Civil and Criminal Law

HB 1119 - Insurance

HB 1120 - Agriculture

HB 1121 - Public Health and Safety

HB 1122 - Consumer Protection

HB 1123 - Commerce

HB 1124 - Education - Elementary and Secondary

HB 1125 - Civil and Criminal Law

HB 1126 - Judiciary and Ethics

HB 1127 - Public Health and Safety

HB 1128 - Children, Youth and Families

HB 1129 - Tourism, Recreation and Cultural Affairs

HB 1130 - Consumer Protection

HB 1131 - Federal-State Relations and Veterans Affairs

HB 1132 - Local Government and Related Matters

HB 1133 - Commerce

HB 1134 - Labor

HB 1135 - Civil and Criminal Law

HB 1136 - Elections

HB 1137 - Insurance

HB 1138 - Education - Higher

HB 1139 - Labor

HB 1140 - Urban Affairs

HB 1141 - Labor

HB 1142 - Motor Vehicle and Traffic Regulations

HB 1143 - Professional Registration and Licensing

HB 1144 - Professional Registration and Licensing

HB 1145 - Governmental Organization and Review

HB 1146 - Science, Technology and Critical Issues

HB 1147 - Ways and Means

HB 1148 - Ways and Means

HB 1149 - Ways and Means

HB 1150 - Ways and Means

HB 1151 - Retirement

HB 1152 - Consumer Protection

HB 1153 - Children, Youth and Families

HB 1154 - Labor

HB 1155 - Ways and Means

HB 1156 - Government Organization and Review

HB 1157 - Public Health and Safety

HB 1158 - Ways and Means

HB 1159 - Ways and Means

HB 1160 - Children, Youth and Families

HB 1161 - Federal-State Relations and Veterans Affairs

HB 1162 - Professional Registration and Licensing

HB 1163 - Motor Vehicle and Traffic Regulations

HB 1164 - Consumer Protection

HB 1165 - Civil and Criminal Law

HB 1166 - Education - Higher

HB 1167 - Transportation

HB 1168 - Civil and Criminal Law

HB 1169 - Science, Technology and Critical Issues

HB 1170 - Civil and Criminal Law

HB 1171 - Agri-Business

HB 1172 - Ways and Means

HB 1173 - Civil and Criminal Law

HB 1174 - Motor Vehicle and Traffic Regulations

HB 1175 - Agriculture

HB 1176 - Civil and Criminal Law

HB 1177 - Budget

HB 1178 - Civil and Criminal Law

HB 1179 - Ways and Means

HB 1180 - Fees and Salaries

HB 1181 - Civil and Criminal Law

HB 1182 - Federal-State Relations and Veterans Affairs

HB 1183 - Public Health and Safety

HB 1184 - Elections

HB 1185 - Education - Elementary and Secondary

HB 1186 - Local Government and Related Matters

HB 1187 - Labor

HB 1188 - Education - Elementary and Secondary

HB 1189 - Children, Youth and Families

HB 1190 - Fees and Salaries

HB 1191 - Agri-Business

HB 1192 - Municipal Corporations

HB 1193 - Civil and Criminal Law

HB 1194 - Civil and Criminal Law

HB 1195 - Civil and Criminal Law

HB 1196 - Motor Vehicle and Traffic Regulations

HB 1197 - Judiciary and Ethics

HB 1198 - Judiciary and Ethics

HB 1199 - Civil and Criminal Law

HB 1200 - Tourism, Recreation and Cultural Affairs

HB 1201 - Education - Elementary and Secondary

HB 1202 - Children, Youth and Families

HB 1203 - Consumer Protection

HB 1204 - Agriculture

HB 1205 - Agriculture

HB 1206 - Public Health and Safety

HB 1207 - Agriculture

HB 1208 - Fees and Salaries

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1073 - Labor

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1240, introduced by Representative O'Connor, et al, relating to operation of excursion gambling boats.

HB 1241, introduced by Representative Witt, relating to motor vehicles.

HB 1242, introduced by Representative Reynolds, relating to tax deductions for certain education expenses.

HB 1243, introduced by Representative Farmer, et al, relating to the regulation of outdoor advertising.

HB 1244, introduced by Representatives Farmer and Cooper, et al, relating to the Missouri arts council.

HB 1245, introduced by Representatives Farmer and Van Zandt, et al, relating to sexual misconduct.

HB 1246, introduced by Representative Shields, relating to sales taxes.

HB 1247, introduced by Representative Shelton (57), et al, relating to sales of tobacco products.

HB 1248, introduced by Representative Scheve, relating to public lands.

HB 1249, introduced by Representatives O'Toole and May (108), et al, relating to certain police retirement systems.

HB 1250, introduced by Representative Edwards-Pavia, et al, relating to medical treatment facilities.

HB 1251, introduced by Representative Gunn, et al, relating to insurance claims.

HB 1252, introduced by Representative Gunn, et al, relating to motor vehicle insurance.

HB 1253, introduced by Representatives McClelland and Hosmer, relating to student volunteer opportunities.

HB 1254, introduced by Representatives May (108) and Gaw, et al, relating to certain criminal records.

HB 1255, introduced by Representatives Hall and Cierpiot, relating to domestic relations.

HB 1256, introduced by Representative Williams (159), et al, relating to official state emblems.

HB 1257, introduced by Representative Bray, relating to billboards on public buildings.

HB 1258, introduced by Representative Mays (50), relating to taxation.

HB 1259, introduced by Representatives Williams (121) and Smith, relating to county planning and zoning.

HB 1260, introduced by Representative Lumpe, relating to the safe drinking water commission.

HB 1261, introduced by Representative Oetting, relating to commercial casualty insurance policies.

HB 1262, introduced by Representatives Oetting and Auer, relating to the Missouri health insurance pool.

HB 1263, introduced by Representatives Oetting and Auer, relating to certain medical insurer practices.

HB 1264, introduced by Representative Green, relating to the regulation of business opportunities.

HB 1265, introduced by Representative Green, relating to certain employment practices.

HB 1266, introduced by Representative Mitchell, relating to credit reporting regulations.

HB 1267, introduced by Representative Hoppe, relating to audits of the Kansas City area transportation authority.

HB 1268, introduced by Representative McLuckie, relating to motor vehicles.

HB 1269, introduced by Representative Boucher, relating to motor vehicle safety requirements.

HB 1270, introduced by Representative Boucher, relating to bicycle safety.

HB 1271, introduced by Representative Hosmer, et al, relating to operation of motor vehicles.

WITHDRAWAL OF HOUSE BILLS

January 23, 1996

The Honorable Steve Gaw

Room 308, State Capitol

Jefferson City, MO 65101

Dear Speaker Gaw:

I respectfully request that **HB 915** be withdrawn.

Respectfully submitted,

/s/ W. Craig Hosmer

Thirteenth Day-Tuesday, January 23, 1996

January 23, 1996

Mr. Doug Burnett, Chief Clerk

House of Representatives

Capitol Building

Jefferson City, Missouri 65101

Dear Clerk Burnett:

I respectfully request that **House Bill 1200** be withdrawn from consideration.

Thanking you in advance for your attention to this matter, I am

Respectfully submitted,

/s/ Phil Tate

The following member's presence was noted: Griffin

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, January 24, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twelfth Day, Monday, January 22, 1996, page 5, by deleting lines 3 through 12, and inserting in lieu thereof the following:

House Committee Amendment No. 1

AMEND House Bill No. 1047, Page 2, Section 304.010, Line 18, by deleting the word "**fifty-five**" and inserting in lieu

thereof the word "**sixty**"; and

Further amend said bill, Page 2, Section 304.010, Line 21, by deleting the word "**fifty-five**" and inserting in lieu thereof the word "**sixty**"; and

Further amend said bill, Page 2, Section 304.010, Lines 22 through 27, by deleting all of said lines; and

Further amend said bill, Page 2, Section 304.010, Line 28, by deleting the number "**4.**" and inserting in lieu thereof the number "**3.**"; and

Further amend said bill, Page 2, Section 304.010, Line 32, by inserting after the word "**transportation**" the following: "**or if the department of public safety believes for safety reasons a lower speed limit is warranted**"; and

Further amend said bill, Page 2, Section 304.010, Line 33, by deleting the number "**5.**" and inserting in lieu thereof the number "4."; and

Further amend said bill, Page 2, Section 304.010, Line 39, by deleting the number "**6.**" and inserting in lieu thereof the number "**5.**"; and

Further amend said bill, Page 3, Section 304.010, Line 54, by deleting the number "**7.**" and inserting in lieu thereof the number "**6.**"; and

Further amend said bill, Page 3, Section 304.010, Line 57, by deleting the number "**8.**" and inserting in lieu thereof the number "**7.**"; and

Further amend said bill, Page 3, Section 304.010, Line 60, by deleting the number "**9.**" and inserting in lieu thereof the number "**8.**"; and

Further amend said bill, Page 3, Section 304.010, Line 62, by deleting the number "**10.**" and inserting in lieu thereof the number "**9.**"; and

Further amend said bill, Page 3, Section 304.010, Line 66, by deleting the number "**11.**" and inserting in lieu thereof the number "**10.**".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 24, 1996, 3:00 pm. Hearing Rms. 3 & 4 AMENDED.

Executive Session Follows

To be considered - HB 913

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, January 29, 1996, 6:00 pm. Hearing Rooms 1 & 2. HB 9 Dept. of

Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 30, 1996, 6:00 pm. Hearing Rooms 1 & 2. HB 9 Dept. of

Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996, 6:00 pm. Hearing Rooms 1 & 2. HB 9 Dept. of

Corrections, HB 11 Dept. of Social Services

BUDGET

Wednesday, January 24, 1996, 8:30 am. Hearing Room 9. Supplemental

Appropriations CANCELLED

BUDGET

Wednesday, January 24, 1996. Hearing Room 9 upon morning adjournment.

Supplemental Appropriations. Possible Executive Session

BUDGET

Thursday, January 25, 1996, 8:30 am. Hearing Room 9. Possible Executive Session

To be considered - HB 1014

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 24, 1996, 8:00 pm. Hearing Room. 8.

To be considered - HB 788, HB 904, HB 966, HB 794, HB 807, HB 936, HB 1069, HB 1153

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 24, 1996, 8:00 am. Hearing Rooms 1 & 2.

To be considered - HB 992

CIVIL AND CRIMINAL LAW

Wednesday, January 24, 1996, 8:00 pm. Hearing Room 7 AMENDED.

To be considered - HB 821, HB 800, HB 838, HB 796, HB 798

COMMERCE

Wednesday, January 24, 1996, 8:00 pm. Hearing Room 9.

To be considered - HB 849, HB 989, HB 938, HB 982, HB 960

EDUCATION - HIGHER

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 8 AMENDED.

To be considered - HB 980, HB 957

ENERGY AND ENVIRONMENT

Thursday, January 25, 1996, 8:00 am. Hearing Room 8. Executive Session may follow.

To be considered - HB 945, HB 1103

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Thursday, January 25, 1996, 9:45 am. Side Gallery.

To be considered - Executive Session - HB 832

FEES AND SALARIES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 1.

To be considered - HB 937

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 24, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 1098, HB 962, HB 772, HB 979, HB 928

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 24, 1996, 8:30 am. Hearing Room 7.

To be considered - HB 815, HB 985, HB 822, HB 819

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 24, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 785, HB 896, HB 958, HB 967, HB 1110

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 2.

To be considered - HB 883

Thirteenth Day-Tuesday, January 23, 1996

TOURISM, RECREATION AND CULTURAL AFFAIRS

Wednesday, January 24, 1996, 3:00 pm. House Lounge. Joint House and Senate. Tourism Comm. Mtg. Presentation by the MO Division of Tourism.

TRANSPORTATION

Wednesday, January 24, 1996, 3:00 pm. Hearing Room 5. Executive Session to follow.

To be considered - HB 922, HB 1101

HOUSE CALENDAR

FOURTEENTH DAY, WEDNESDAY, JANUARY 24, 1996

HOUSE BILLS FOR SECOND READING

HB 1240 through HB 1271

HOUSE BILL FOR PERFECTION

HB 1047, with Part I, Part II, Part III of HCA 1 pending - Thomason (163)

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House Journal

Second Regular Session, 88th General Assembly

FOURTEENTH DAY, Wednesday, January 24, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Mark Tyler.

Dear Lord,

We thank you this morning for the blessing of life itself. We thank you for being better to us than we've been to one another. Lord, we ask your forgiveness this day for we have not always lived according to your law.

We pray for the State of Missouri. We ask that your spirit would guide us to be your people. Erase from our hearts all malice and all evil thoughts, remove racism, sexism, classism and anything that would keep us from serving you. Teach us to be truly brothers and sisters in your sight.

Bless now the elected officials of this state and order their steps that they might follow your precepts.

In Your Name We Pray,

Amen.

The Pledge of Allegiance to the flag was recited.

Speaker Gaw appointed the following to act as Honorary Pages for the Day, to serve without compensation: Reuben Hartzler, Bethany Hartzler and Emma Hartzler.

The Journal of the thirteenth day was approved as printed.

RESOLUTIONS

Representative Williams (159) offered House Resolution No. 136, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears offered House Resolution No. 137, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 138, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Scott offered House Concurrent Resolution No. 4.

SECOND READING OF HOUSE BILLS

HB 1240 through **HB 1271** were read the second time.

PERFECTION OF HOUSE BILL

HB 1047, with Part I, Part II and Part III of House Committee Amendment No. 1, pending, relating to speed limits, was again taken up by Representative Thomason (163).

Representative Thomason (163) moved that Part I of House Committee Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Thomason (163), Part II of House Committee Amendment No. 1 was adopted.

Representative Hohulin offered House Amendment No. 1 to Part III of House Committee Amendment No. 1.

House Amendment No. 1 to Part III of House Committee Amendment No. 1 was withdrawn.

On motion of Representative Thomason (163), Part III of House Committee Amendment No. 1 was adopted.

Representative Cooper offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill 1047, Page 2, Section 304.010, Lines 29 through 32, by deleting all of said lines and inserting in lieu thereof the following: '**ordinance, the highways and transportation commission may set a speed limit higher or lower than the uniform maximum speed limit provided in subsection 2 of this section, if a higher or lower speed limit is recommended by an engineering study conducted by the department of highways and transportation or if the department of public safety believes for safety reasons a higher or lower speed limit is warranted; except that no speed limit shall be set higher than seventy miles per hours;**'; and".

Representative Koller offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1
to House Amendment No. 1

Amend House Amendment No. 1 to House Bill No. 1047, Page 2, Section 304.010, Line 31, by deleting after the word "by" the words "an engineering study conducted by".

On motion of Representative Koller, House Amendment No. 1 to House Amendment No. 1 was adopted.

On motion of Representative Cooper, House Amendment No. 1, as amended, was adopted.

Representative Witt offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1047, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting immediately before the number "304.010" the number "304.009,"; and

Further amend said bill, Page 1, Section A, Line 3 by inserting after all of said line the following:

"**304.009. 1. Notwithstanding the provisions of section 304.010, a speeding violation of section 304.010 which is over the posted speed limit by five miles per hour or less is an infraction. The court costs assessed for a violation of this section shall be the same as the costs assessed pursuant to section 304.010, RSMo.**

2. No points shall be assessed pursuant to section 302.302, RSMo, for any speeding violation which is over the posted speed limit by five miles per hour or less.

3. Notwithstanding any provisions of law to the contrary, a court may issue a warrant for failure to appear for any violation which is classified as an infraction."; and

Further amend said bill, Page 3, Lines 66 and 67, by deleting all of said lines and inserting in lieu thereof the following:

"**11. Any person violating the provisions of this section is guilty of a class C misdemeanor, unless such person was exceeding the posted speed limit by twenty miles per hour or more then it is a class B misdemeanor.**"; and

Further amend said bill, Page 3, Section 304.011, Line 17, by deleting the letter "**A**" and inserting the letter "**C**"; and

Further amend said bill, Page 4, Section 304.012, Lines 5 and 6, by deleting the words "**class A misdemeanor**" and inserting in lieu thereof the words "**class B misdemeanor, unless an accident is involved then it shall be a class A misdemeanor**".

On motion of Representative Witt, House Amendment No. 2 was adopted.

Representative Witt offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 1047, Page 1, In the Title, Lines 2 through 4, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 301.150, 302.301, 304.011, 304.015, 304.016, 304.017, 304.019, 304.023, 304.024, 304.026, 304.044, 304.075, 304.140, 304.150, 304.160, 304.220, 304.250, 304.271, 304.281, 304.301, 304.341, 304.351, 307.010, 307.040, 307.045, 307.055, 307.060, 307.065, 307.070, 307.075, 307.080, 307.085, 307.090, 307.095, 307.100, 307.105, 307.110, 307.115, 307.122, 307.125, 307.127, 307.155, 307.170, 307.171, 307.195, 307.350, 307.366, 307.380, 544.216, 544.665 and 575.150, RSMo 1994, and sections 302.020, 302.302, 304.009, 304.010 and 304.022, RSMo Supp. 1995, relating to penalties for violation of motor vehicle laws, and to enact in lieu thereof fifty-four new sections relating to the same subject, with penalty provisions and with an emergency clause for certain sections."; and

Further amend said bill, Page 6, Section A, Line 77, by inserting after all of said line the following:

"Section C. Sections 301.150, 302.301, 304.015, 304.016, 304.017, 304.019, 304.023, 304.024, 304.026, 304.044, 304.075, 304.140, 304.150, 304.160, 304.220, 304.250, 304.271, 304.281, 304.301, 304.341, 304.351, 307.010, 307.040, 307.045, 307.055, 307.060, 307.065, 307.070, 307.075, 307.080, 307.085, 307.090, 307.095, 307.100, 307.105, 307.110, 307.115, 307.122, 307.125, 307.127, 307.155, 307.170, 307.171, 307.195, 307.350, 307.366, 307.380, 544.216, 544.665, and 575.150, RSMo 1994, and sections 302.020 and 304.022, RSMo Supp. 1995, are repealed and fifty-one new sections enacted in lieu thereof, to be known as sections 301.150, 302.020, 302.301, 304.015, 304.016, 304.017, 304.019, 304.022, 304.023, 304.024, 304.044, 304.075, 304.140, 304.150, 304.160, 304.220, 304.250, 304.271, 304.281, 304.301, 304.341, 304.351, 307.010, 307.040, 307.045, 307.055, 307.060, 307.065, 307.070, 307.075, 307.080, 307.085, 307.090, 307.095, 307.100, 307.105, 307.110, 307.115, 307.122, 307.125, 307.127, 307.155, 307.170, 307.171, 307.195, 307.350, 307.366, 307.380, 544.216, 544.665, and 575.150, to read as follows:

301.150. 1. License plates issued to owners of motor vehicles registered [under] **pursuant to** the monthly series system of registration as provided in section 301.030 shall be removed on the sale or transfer of ownership of such vehicles. The plates, if still current, may thereafter be retained and preserved by the person to whom issued, to be fastened to such other motor vehicles as [he] **such person** shall thereafter register in [his] **the person's** name.

2. If application for registration of another motor vehicle is not made to the director of revenue within one year following the sale or transfer of ownership of a motor vehicle, the license plates held by the person who sold or transferred ownership of such motor vehicle shall be declared void, and new license plates bearing the same numbers may be issued to another registrant.

3. It shall be unlawful to fasten voided plates to any motor vehicle. Violation of this section shall be deemed a **class C** misdemeanor.

302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless [he] **the person** has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows [he] **the person** has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by [him] **such person** or under [his] **such person's** control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

2. Every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, RSMo, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

3. Notwithstanding the provisions of section 302.340, **violation of subsection 1 of this section shall be deemed a class C misdemeanor and** the penalty for failure to wear protective headgear as required by subsection 2 of

this section shall be **deemed** an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed [under] **pursuant to** section 302.302 for a failure to wear such protective headgear.

302.301. 1. In addition to other restrictions imposed by this chapter, upon issuance of a license, the director shall have authority, when good cause appears, to impose restrictions suitable to the applicant's driving ability and pertaining to the type or special mechanical control devices required on a motor vehicle which the applicant may operate, or such other restrictions applicable to the applicant as the director may determine to be appropriate to assure the safe operation of a motor vehicle by the applicant.

2. The director may issue either a special restricted license or may set forth the restrictions upon the usual license form. Upon receiving satisfactory evidence of any violation of the restrictions imposed [under] **pursuant to** this chapter, the director may suspend or revoke the license, but the operator shall be entitled to an appeal as provided in section 302.311.

3. Any person who operates a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to [him] **the person** shall be deemed guilty of a **class C** misdemeanor.

304.015. 1. All vehicles not in motion shall be placed with their right side as near the right-hand side of the highway as practicable, except on streets of municipalities where vehicles are obliged to move in one direction only or parking of motor vehicles is regulated by ordinance.

2. Upon all public roads or highways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

(1) When overtaking and passing another vehicle proceeding in the same direction [under] **pursuant to** the rules governing such movement;

(2) When placing a vehicle in position for and when such vehicle is lawfully making a left turn in compliance with the provisions of sections 304.014 to 304.026 or traffic regulations thereunder or of municipalities;

(3) When the right half of a roadway is closed to traffic while under construction or repair;

(4) Upon a roadway designated by local ordinance as a one-way street and marked or signed for one-way traffic.

3. It is unlawful to drive any vehicle upon any highway or road which has been divided into two or more roadways by means of a physical barrier or by means of a dividing section or delineated by curbs, lines or other markings on the roadway, except to the right of such barrier or dividing section, or to make any left turn or semicircular or U-turn on any such divided highway, except in a crossover or intersection.

4. The authorities in charge of any highway or the state highway patrol may erect signs temporarily designating lanes to be used by traffic moving in a particular direction, regardless of the center line of the highway, and all members of the Missouri highway patrol and other peace officers may direct traffic in conformance with such signs. When authorized signs have been erected designating off-center traffic lanes, no person shall disobey the instructions given by such signs.

5. Whenever any roadway has been divided into three or more clearly marked lanes for traffic, the following rules in addition to all others consistent herewith shall apply:

(1) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;

(2) Upon a roadway which is divided into three lanes a vehicle shall not be driven in the center lane, except when overtaking and passing another vehicle where the roadway ahead is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation;

(3) Upon all highways any vehicle proceeding at less than the normal speed of traffic thereon shall be driven in the right-hand lane for traffic or as close as practicable to the right-hand edge or curb, except as otherwise provided in sections 304.014 to 304.026;

(4) Official signs may be erected by the highways and transportation commission or the highway patrol may place temporary signs directing slow moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign;

(5) Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and except when a roadway has been divided into traffic lanes, each driver shall give to the other at least one-half of the main traveled portion of the roadway whenever possible.

6. All vehicles in motion upon a highway having two or more lanes of traffic proceeding in the same direction shall be driven in the right-hand lane except when overtaking and passing another vehicle or when preparing

to make a proper left turn or when otherwise directed by traffic markings, signs or signals.

7. Violation of this section shall be deemed a class C misdemeanor.

304.016. 1. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations and exceptions hereinafter stated:

(1) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle; and

(2) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle and shall not increase the speed of [his] **such driver's** vehicle until completely passed by the overtaking vehicle.

2. The driver of a motor vehicle may overtake and pass to the right of another vehicle only under the following conditions:

(1) When the vehicle overtaken is making or about to make a left turn;

(2) Upon a city street with unobstructed pavement of sufficient width for two or more lines of vehicles in each direction;

(3) Upon a one-way street;

(4) Upon any highway outside of a city with unobstructed pavement of sufficient width and clearly marked for four or more lines of traffic. The driver of a motor vehicle may overtake and pass another vehicle upon the right only under the foregoing conditions when such movement may be made in safety. In no event shall such movement be made by driving off the paved or main traveled portion of the roadway. The provisions of this subsection shall not relieve the driver of a slow-moving vehicle from the duty to drive as closely as practicable to the right-hand edge of the roadway.

3. Except when a roadway has been divided into three traffic lanes, no vehicle shall be driven to the left side of the center line of a highway or public road in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken.

4. No vehicle shall at any time be driven to the left side of the roadway under the following conditions:

(1) When approaching the crest of a grade or upon a curve of the highway where the driver's view is obstructed within such distance as to create a hazard in the event another vehicle might approach from the opposite direction;

(2) When the view is obstructed upon approaching within one hundred feet of any bridge, viaduct, tunnel or when approaching within one hundred feet of or at any intersection or railroad grade crossing.

5. Violation of this section shall be deemed a class C misdemeanor.

304.017. **1.** The driver of a vehicle shall not follow another vehicle more closely than is reasonably safe and prudent, having due regard for the speed of such vehicle and the traffic upon and the condition of the roadway. Vehicles being driven upon any roadway outside of a business or residence district in a caravan or motorcade, whether or not towing other vehicles, shall be so operated, except in a funeral procession or in a duly authorized parade, so as to allow sufficient space between each such vehicle or combination of vehicles as to enable any other vehicle to overtake or pass such vehicles in safety. This section shall in no manner affect section 304.044 relating to distance between trucks traveling on the highway.

2. Violation of this section shall be deemed a class C misdemeanor.

304.019. **1.** No person shall stop or suddenly decrease the speed of or turn a vehicle from a direct course or move right or left upon a roadway unless and until such movement can be made with reasonable safety and then only after the giving of an appropriate signal in the manner provided herein.

(1) An operator or driver when stopping, or when checking the speed of [his] **the operator's** vehicle, if the movement of other vehicles may reasonably be affected by such checking of speed, shall extend [his] **such operator's** arm at an angle below horizontal so that the same may be seen in the rear of [his] **the** vehicle;

(2) An operator or driver intending to turn [his] **the operator's** vehicle to the right shall extend [his] **such operator's** arm at an angle above horizontal so that the same may be seen in front of and in the rear of [his] **the** vehicle, and shall slow down and approach the intersecting highway as near as practicable to the right side of the highway along which [he] **such operator** is proceeding before turning;

(3) An operator or driver intending to turn [his] **the operator's** vehicle to the left shall extend [his] **such operator's** arm in a horizontal position so that the same may be seen in the rear of [his] **the** vehicle, and shall slow down

and approach the intersecting highway so that the left side of [his] **the** vehicle shall be as near as practicable to the center line of the highway along which [he] **the operator** is proceeding before turning;

(4) The signals herein required shall be given either by means of the hand and arm or by a signal light or signal device in good mechanical condition of a type approved by the state highway patrol; however, when a vehicle is so constructed or loaded that a hand and arm signal would not be visible both to the front and rear of such vehicle then such signals shall be given by such light or device. A vehicle shall be considered as so constructed or loaded that a hand and arm signal would not be visible both to the front and rear when the distance from the center of the top of the steering post to the left outside limit of the body, cab or load exceeds twenty-four inches, or when the distance from the center of the top of the steering post to the rear limit of the body or load thereon exceeds fourteen feet, which limit of fourteen feet shall apply to single vehicles or combinations of vehicles. The provisions of this subdivision shall not apply to any trailer which does not interfere with a clear view of the hand signals of the operator or of the signalling device upon the vehicle pulling [said] **such** trailer; provided further that the provisions of this section as far as mechanical devices on vehicles so constructed that a hand and arm signal would not be visible both to the front and rear of such vehicle as above provided shall only be applicable to new vehicles registered within this state after the first day of January, 1954.

2. Violation of this section shall be deemed a class C misdemeanor.

304.022. 1. Upon the immediate approach of an emergency vehicle giving audible signal by siren or while having at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle or a flashing blue light authorized by section 307.175, RSMo, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as far as possible to the right of, the traveled portion of the highway and thereupon stop and remain in such position until such emergency vehicle has passed, except when otherwise directed by a police or traffic officer.

2. The motorman of every streetcar shall immediately stop such car clear of any intersection and keep it in such position until the emergency vehicle has passed, except as otherwise directed by a police or traffic officer.

3. An "emergency vehicle" is a vehicle of any of the following types:

(1) A vehicle operated by the state highway patrol, those vehicles operated by enforcement personnel by the division of transportation of the department of economic development, police or fire department, sheriff, constable or deputy sheriff, federal law enforcement officer authorized to carry firearms and to make arrests for violations of the laws of the United States, traffic officer or coroner or by a privately owned emergency vehicle company;

(2) A vehicle operated as an ambulance or operated commercially for the purpose of transporting emergency medical supplies or organs;

(3) Any vehicle qualifying as an emergency vehicle under section 307.175, RSMo;

(4) Any wrecker, or tow truck or a vehicle owned and operated by a public utility or public service corporation while performing emergency service;

(5) Any vehicle transporting equipment designed to extricate human beings from the wreckage of a motor vehicle;

(6) Any vehicle designated to perform emergency functions for a civil defense or emergency management agency established under the provisions of chapter 44, RSMo;

(7) Any vehicle operated by an authorized employee of the department of corrections, who as part of his official duties, is responding to a riot, disturbance, hostage incident, escape or other critical situation where there is the threat of serious physical injury or death, responding to mutual aid call from another criminal justice agency, or in accompanying an ambulance which is transporting an offender to a medical facility.

4. (1) The driver of any vehicle referred to in subsection 3 of this section shall not sound the siren thereon or have the front red lights or blue lights on except when such vehicle is responding to an emergency call or when in pursuit of an actual or suspected law violator, or when responding to, but not upon returning from, a fire;

(2) The driver of an emergency vehicle may:

(a) Park or stand irrespective of the provisions of sections 304.014 to 304.026;

(b) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;

(c) Exceed the prima facie speed limit so long as he does not endanger life or property;

(d) Disregard regulations governing direction of movement or turning in specified directions;

(3) The exemptions herein granted to an emergency vehicle shall apply only when the driver of any such vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle as may be reasonably necessary, and when the vehicle is equipped with at least one lighted lamp displaying a red light or blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front of such vehicle.

5. No person shall purchase an emergency light as described in this section without furnishing the seller of such light an affidavit stating that the light will be used exclusively for emergency vehicle purposes.

6. Violation of this section shall be deemed a class C misdemeanor.

304.023. **1.** An operator or driver of a motor vehicle shall stop same not less than eight feet from the rear of any streetcar going in the same direction which has stopped for the purpose of taking on or discharging passengers, and shall remain standing until such car has taken on or discharged such passengers; provided, however, said driver or operator may pass such car where a safety zone is established by the proper authorities, providing, however, that in passing such streetcar [he] **the operator** shall proceed at a speed not faster than is reasonable and with due caution for the safety of pedestrians under the circumstances then and there existing.

2. Violation of this section is a class C misdemeanor.

304.024. **1.** The state highways and transportation commission with respect to highways under its jurisdiction may erect or place signs establishing crossovers or crosswalks or prohibiting or restricting the stopping, standing or parking of vehicles on any highway where in its opinion such stopping, standing, or parking is dangerous to those using the highway or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic thereon. Such signs shall be official signs and no person shall stop, stand, or park any vehicle in violation of the restrictions stated on such signs.

2. Violation of this section shall be deemed an infraction.

[304.026. Any person who violates any of the provisions of sections 304.014 to 304.025 or of the duly authorized regulation or regulations made thereunder shall be punished by a fine of not less than five dollars nor more than five hundred dollars or by imprisonment in the county jail not exceeding one year or by both such fine and imprisonment.]

304.044. 1. The following terms as used in this section shall mean:

(1) "Bus", any vehicle or motor car designed and used for the purpose of carrying more than seven persons;

(2) "Truck", any vehicle, machine, tractor, trailer or semitrailer, or any combination

thereof, propelled or drawn by mechanical power and designed or used in the transportation of property upon the highways.

2. The driver of any truck or bus, when traveling upon a public highway of this state outside of a business or residential district, shall not follow within three hundred feet of another such vehicle; provided, the provisions of this section shall not be construed to prevent the overtaking and passing, by any such truck or bus, of another similar vehicle.

3. Any person who shall violate the provisions of this section shall be deemed guilty of a **class C** misdemeanor, and upon conviction thereof shall be punished accordingly.

304.075. **1.** Any motor vehicle which is not regularly being operated by a school district or under contract with a school district or by private schools for the transportation of school children shall not bear signs indicating that it is a school bus. When any person operating a school bus under contract with a school district uses it for purposes other than for the transportation of school children, [he] **the person** shall cover the signs thereon in such manner that it will not appear on the highways as a school bus.

2. Any person violating this section is guilty of a **class C** misdemeanor.

304.140. Any person violating any order or regulation adopted under section 304.130 shall upon conviction be adjudged guilty of [a misdemeanor] **an infraction**.

304.150. **1.** No person shall leave a motor vehicle unattended on the highway without first stopping the motor and cutting off the electric current, and no person shall leave a motor vehicle, except a commercial motor vehicle, unattended on the highway of any city having a population of more than seventy-five thousand unless the mechanism, starting device or ignition of such motor vehicle shall be locked. The failure to lock such motor vehicle shall not mitigate the offense of stealing the same, nor shall such failure be used to defeat a recovery in any civil action for the theft of such motor vehicle, or the insurance thereon, or have any other bearing in any civil action.

2. Violation of this section shall be deemed an infraction.

304.160. **1.** Any person who has purposely, accidentally, or by reason of an accident, dropped [from his person or any vehicle,] any tacks, nails, wire, scrap metal, glass, crockery, sharp stones, or other substances injurious to

the feet of persons or animals, or to the tires or wheels of vehicles, including motor vehicles, upon any highway shall immediately make all reasonable efforts to clear the highway of the substances.

2. Violation of this section shall be deemed a class C misdemeanor.

304.220. 1. Whenever the county highway engineer of any county, or in any county in which there shall be no highway engineer, such other officer as the county commission may designate, shall find that any county road or bridge of such county is in such a condition that use thereof by vehicles of the weights specified in section 304.180, will endanger the road or bridge, or the users thereof, [he] **the county highway engineer** may with the approval of the division engineer of the state highways and transportation department whose division includes the area in question establish maximum weight limits for vehicles using such road or bridge in such amounts as will preserve the road or bridge and provide a reasonable margin of safety to the users thereof. Notice of any such weight limit established shall be given by posting signs at convenient and public places along any such road, and in conspicuous places at each end of any such bridge.

2. It shall be unlawful for any person to operate a vehicle of a weight in excess of the maximum limit established pursuant to the provisions of this section on or over any road or bridge upon which such maximum weight limits have been established unless [he] **the person** shall have the express permission of the officer empowered to establish such limit.

3. Any person who shall violate the provisions of this section shall be guilty of a **class C** misdemeanor, and shall be liable in a civil action for any damages to the road or bridge.

304.250. 1. No metal-tired vehicle shall be operated over any of the improved highways of this state, except over highways constructed of gravel or claybound gravel, if such vehicle has on the periphery of any of the road wheels any lug, flange, cleat, ridge, bolt or any projection of metal or wood which projects radially beyond the tread or traffic surface of the tire, unless the highway is protected by putting down solid planks or other suitable material, or by attachments to the wheels so as to prevent such vehicles from damaging the highway, except that this prohibition shall not apply to tractors or traction engines equipped with what is known as caterpillar treads, when such caterpillar does not contain any projection of any kind likely to injure the surface of the road. Tractors, traction engines and similar vehicles may be operated which have upon their road wheels "V" shaped, diagonal or other cleats arranged in such manner as to be continuously in contact with the road surface if the gross weight on the wheels per inch of width of such cleats or road surface, when measured in the direction of the axle of the vehicle, does not exceed eight hundred pounds.

2. No tractor, tractor engine, or other metal-tired vehicle weighing more than four tons, including the weight of the vehicle and its load, shall drive onto, upon or over the edge of any improved highway without protecting such edge by putting down solid planks or other suitable material to prevent such vehicle from breaking off the edges of the pavement.

3. **Violation of this section shall be deemed an infraction and** any person violating this section, whether operating [under] **pursuant to** a permit or not, or who shall willfully or negligently damage a highway, shall be liable for the amount of such damage caused to any highway, bridge, culvert or sewer, and any vehicle causing such damage shall be subject to a lien for the full amount of such damage, which lien shall not be superior to any duly recorded or filed chattel mortgage or other lien previously attached to such vehicle; the amount of such damage may be recovered in any action in any court of competent jurisdiction, in the name of the state, by the municipality, county or other civil subdivision or interested party.

304.271. 1. The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of the law, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in the law.

2. No provision of the law for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.

3. Whenever official traffic-control devices are placed in position approximately conforming to the requirements of the law, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

4. Any official traffic-control device placed pursuant to the provisions of the law and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this chapter, unless the contrary shall be established by competent evidence.

5. Notwithstanding the provisions of section 304.361, violation of this section is a class C misdemeanor.

304.281. **1.** Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication

(a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited;

(b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection;

(c) Unless otherwise directed by a pedestrian control signal, as provided in section 304.291, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(2) Steady yellow indication

(a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

(b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in section 304.291, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication

(a) Vehicular traffic facing a steady red signal alone shall stop before entering the crosswalk on the near side of the intersection at a clearly marked stop line but, if none, then before entering the intersection and shall remain standing until an indication to proceed is shown except as provided in paragraph (b);

(b) The driver of a vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red signal, may cautiously enter the intersection to make a right turn but shall yield the right-of-way to pedestrians and other traffic proceeding as directed by the signal at the intersection, except that the state highways and transportation commission with reference to an intersection involving a state highway, and local authorities with reference to an intersection involving other highways under their jurisdiction, may prohibit any such right turn against a red signal at any intersection where safety conditions so require, said prohibition shall be effective when a sign is erected at such intersection giving notice thereof;

(c) Unless otherwise directed by a pedestrian control signal as provided in section 304.291, pedestrians facing a steady red signal alone shall not enter the roadway.

(4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provision of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

2. Notwithstanding the provisions of section 304.361, violation of this section is a class C misdemeanor.

304.301. 1. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

(1) Flashing red (stop signal). When a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(2) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or pass such signal only with caution.

2. Notwithstanding the provisions of section 304.361, violation of this section is an infraction.

304.341. 1. The driver of a vehicle intending to turn at an intersection shall do so as follows:

(1) Right turns.--Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway.

(2) Left turns.--The driver of a vehicle intending to turn left at any intersection shall approach the intersection in the extreme left-hand lane lawfully available to the traffic moving in the direction of travel of such vehicle and,

after entering the intersection, the left turn shall be made so as to leave the intersection in a lane lawfully available to traffic moving in such direction upon the roadway being entered.

(3) The highways and transportation commission or local authorities in their respective jurisdictions may cause official traffic-control devices to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this section be traveled by vehicles turning at an intersection, and when such devices are so placed no driver of a vehicle shall turn a vehicle at any intersection other than as directed and required by such devices.

2. It shall be unlawful for the driver of any vehicle to turn such vehicle so as to proceed in the opposite direction at any intersection controlled by a traffic signal or police officer; nor shall such turn be made at any place unless the movement can be made in safety and without interfering with other traffic. The driver of a vehicle shall not turn such vehicle around so as to proceed in the opposite direction upon any curve or upon the approach to or near the crest of a grade, or at any place upon a roadway where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction along the roadway within a distance of three hundred feet, or where the same may create a traffic hazard.

3. No vehicle in a residence district shall be turned left across the roadway or so as to proceed in the opposite direction when any other vehicle is approaching from either direction where the same may create a traffic hazard.

4. Notwithstanding the provisions of section 304.361, violation of this section is a class C misdemeanor.

304.351. 1. The driver of a vehicle approaching an intersection shall yield the right-of-way to a vehicle which has entered the intersection from a different highway, provided, however, there is no form of traffic control at such intersection.

2. When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right-of-way to the driver of the vehicle on the right. This subsection shall not apply to vehicles approaching each other from opposite directions when the driver of one of such vehicles is attempting to or is making a left turn.

3. The driver of a vehicle within an intersection intending to turn to the left shall yield the right-of-way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

4. The state highways and transportation commission with reference to state highways and local authorities with reference to other highways under their jurisdiction may designate through highways and erect stop signs or yield signs at specified entrances thereto, or may designate any intersection as a stop intersection or as a yield intersection and erect stop signs or yield signs at one or more entrances to such intersection.

(1) Preferential right-of-way at an intersection may be indicated by stop signs or yield signs as authorized in this section:

(a) Except when directed to proceed by a police officer or traffic-control signal, every driver of a vehicle approaching a stop intersection, indicated by a stop sign, shall stop at a clearly marked stop line, but if none, before entering the crosswalk on the near side of the intersection, or if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic in the intersecting roadway before entering the intersection. After having stopped, the driver shall yield the right-of-way to any vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when such driver is moving across or within the intersection.

(b) The driver of a vehicle approaching a yield sign shall in obedience to the sign slow down to a speed reasonable to the existing conditions and, if required for safety to stop, shall stop at a clearly marked stop line, but if none, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After slowing or stopping the driver shall yield the right-of-way to any vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time such traffic is moving across or within the intersection.

5. The driver of a vehicle about to enter or cross a highway from an alley, building or any private road or driveway shall yield the right-of-way to all vehicles approaching on the highway to be entered.

6. The driver of a vehicle intending to make a left turn into an alley, private road or driveway shall yield the right-of-way to any vehicle approaching from the opposite direction when the making of such left turn would create a traffic hazard.

7. The state highways and transportation commission or local authorities with respect to roads under their respective jurisdictions, on any section where construction or major maintenance operations are being effected, may fix a speed limit in such areas by posting of appropriate signs, and the operation of a motor vehicle in excess of such speed limit in the area so posted shall be deemed prima facie evidence of careless and imprudent driving and a violation of section 304.010, RSMo.

8. Notwithstanding the provisions of section 304.361, violation of this section shall be deemed a class C

misdemeanor.

307.010. 1. All motor vehicles, and every trailer and semitrailer operating upon the public highways of this state and carrying goods or material or farm products which may reasonably be expected to become dislodged and fall from the vehicle, trailer or semitrailer as a result of wind pressure or air pressure and/or by the movement of the vehicle, trailer or semitrailer shall have a protective cover or be sufficiently secured so that no portion of such goods or material can become dislodged and fall from the vehicle, trailer or semitrailer while being transported or carried.

2. Operation of a motor vehicle, trailer or semitrailer in violation of this section shall be a **class C** misdemeanor, and any person convicted thereof shall be punished as provided by law.

307.040. **1.** No person shall drive, move, park or be in custody of any vehicle or combination of vehicles on any street or highway during the times when lighted lamps are required unless such vehicle or combination of vehicles displays lighted lamps and illuminating devices as hereinafter in this chapter required. No person shall use on any vehicle any approved electric lamp or similar device unless the light source of such lamp or device complies with the conditions of approval as to focus and rated candlepower.

2. Notwithstanding the provisions of section 307.120, violation of this section shall be deemed an infraction.

307.045. **1.** Except as in this chapter provided, every motor vehicle other than a motor-drawn vehicle and other than a motorcycle shall be equipped with at least two approved headlamps mounted at the same level with at least one on each side of the front of the vehicle. Every motorcycle shall be equipped with at least one and not more than two approved headlamps. Every motorcycle equipped with a sidecar or other attachment shall be equipped with a lamp on the outside limit of such attachment capable of displaying a white light to the front.

2. Notwithstanding section 307.120, violation of this section shall be deemed an infraction.

307.055. **1.** Approved single-beam headlamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of twenty-five feet ahead project higher than a level of five inches below the level of the center of the lamp from which it comes, and in no case higher than forty-two inches above the level on which the vehicle stands at a distance of seventy-five feet ahead. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least two hundred feet.

2. Notwithstanding the provisions of section 307.120, violation of this section shall be deemed an infraction.

307.060. **1.** Except as hereinafter provided, the headlamps or the auxiliary driving lamp or the auxiliary passing lamp or combination thereof on motor vehicles other than motorcycles or motor driven cycles shall be so arranged that the driver may select at will between distributions of light projected to different elevations and such lamps may, in addition, be so arranged that such selection can be made automatically, subject to the following limitations:

(1) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least three hundred and fifty feet ahead for all conditions of loading.

(2) There shall be a lowermost distribution of light, or composite beam so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least one hundred feet ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver.

2. Notwithstanding the provisions of section 307.120, violation of this section shall be deemed an infraction.

307.065. **1.** Every new motor vehicle registered in this state after January 1, 1942, which has multiple-beam road lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of lights from the headlamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

2. Notwithstanding the provisions of section 307.120, violation of this section shall be deemed an infraction.

307.070. **1.** Every person driving a motor vehicle equipped with multiple-beam road lighting equipment, during the times when lighted lamps are required, shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations: Whenever the driver of a vehicle approaches an oncoming vehicle within five hundred feet, or is within three hundred feet to the rear of another vehicle traveling in the same direction, the driver shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the other driver, and in no case shall the high-intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of twenty-five feet ahead, and in no case higher than a level of forty-two inches above the level upon which the vehicle stands at a distance of seventy-five feet ahead.

2. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.

307.075. 1. Every motor vehicle and every motor-drawn vehicle shall be equipped with at least two rear lamps, not less than fifteen inches or more than seventy-two inches above the ground upon which the vehicle stands, which when lighted will exhibit a red light plainly visible from a distance of five hundred feet to the rear. Either such rear lamp or a separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration marker and render it clearly legible from a distance of fifty feet to the rear. When the rear registration marker is illuminated by an electric lamp other than the required rear lamps, all such lamps shall be turned on or off only by the same control switch at all times.

2. Every motorcycle registered in this state, when operated on a highway, shall also carry at the rear, either as part of the rear lamp or separately, at least one approved red reflector, which shall be of such size and characteristics and so maintained as to be visible during the times when lighted lamps are required from all distances within three hundred feet to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps.

3. Every new passenger car, new commercial motor vehicle, motor-drawn vehicle and omnibus with a capacity of more than six passengers registered in this state after January 1, 1966, when operated on a highway, shall also carry at the rear at least two approved red reflectors, at least one at each side, so designed, mounted on the vehicle and maintained as to be visible during the times when lighted lamps are required from all distances within five hundred to fifty feet from such vehicle when directly in front of a motor vehicle displaying lawful undimmed headlamps. Every such reflector shall meet the requirements of this chapter and shall be mounted upon the vehicle at a height not to exceed sixty inches nor less than fifteen inches above the surface upon which the vehicle stands.

4. Any person who knowingly operates a motor vehicle without the lamps required in this section in operable condition is guilty of [a misdemeanor] **an infraction**.

307.080. **1.** Any motor vehicle may be equipped with not to exceed three auxiliary lamps mounted on the front at a height not less than twelve inches nor more than forty-two inches above the level surface upon which the vehicle stands.

2. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.

307.085. **1.** Any motor vehicle may be equipped with not more than two side cowl or fender lamps which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with not more than one running board courtesy lamp on each side thereof which shall emit a white or yellow light without glare. Any motor vehicle may be equipped with a backup lamp either separately or in combination with another lamp; except that no such backup lamp shall be continuously lighted when the motor vehicle is in forward motion.

2. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.

307.090. **1.** Any motor vehicle may be equipped with not to exceed one spotlamp but every lighted spotlamp shall be so aimed and used so as not to be dazzling or glaring to any person.

2. Notwithstanding the provisions of section 307.120, violation of this section is a class C misdemeanor.

307.095. **1.** Headlamps, when lighted, shall exhibit lights substantially white in color; auxiliary lamps, cowllamps and spotlamps, when lighted, shall exhibit lights substantially white, yellow or amber in color. No person shall drive or move any vehicle or equipment, except a school bus when used for school purposes or an emergency vehicle upon any street or highway with any lamp or device thereon displaying a red light visible from directly in front thereof.

2. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.

307.100. **1.** Any lighted lamp or illuminating device upon a motor vehicle other than headlamps, spotlamps, front direction signals or auxiliary lamps which projects a beam of light of an intensity greater than three hundred candlepower shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five feet from the vehicle. Alternately flashing warning signals may be used on school buses when used for school purposes and on motor vehicles when used to transport United States mail from post offices to boxes of addressees thereof and on emergency vehicles as defined in section 304.022, but are prohibited on other motor vehicles, motorcycles and motor-drawn vehicles except as a means for indicating a right or left turn.

2. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.

307.105. **1.** At the times when lighted lamps are required, at least two lighted lamps shall be displayed, one on each side of the front of every motor vehicle except a motorcycle and except a motor-drawn vehicle except when such vehicle is parked subject to the provisions governing lights on parked vehicles. Whenever a motor vehicle equipped with headlamps as in this chapter required is also equipped with any auxiliary lamps or a spotlamp or any other lamp on the front thereof projecting a beam of an intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

2. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.

307.110. 1. Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of five hundred feet upon such street or highway no lights need be displayed upon such parked vehicle.

2. Whenever a vehicle is parked or stopped upon a highway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred feet upon the highway, a vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of five hundred feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of five hundred feet to the rear of the vehicle, and the location of the lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. This section does not apply to a motor-driven cycle. Any lighted headlamp upon a parked vehicle shall be depressed or dimmed.

3. Notwithstanding the provisions of section 307.120, violation of this section is an infraction.

307.115. **1.** All vehicles, including agricultural machinery or implements, road machinery, road rollers, traction engines and farm tractors not in this chapter specifically required to be equipped with lamps, shall be equipped during the times when lighted lamps are required with at least one lighted lamp or lantern exhibiting a white light visible from a distance of five hundred feet to the front of such vehicle and with a lamp or lantern exhibiting a red light visible from a distance of five hundred feet to the rear, and such lamps and lanterns shall exhibit lights to the sides of such vehicle.

2. Notwithstanding the provisions of section 307.120, violation of this section shall be deemed an infraction.

307.122. No motor vehicle or trailer shall be operated on a public highway of this state while equipped with any device which emits an electronic message directed to the front, side or rear of the exterior of the vehicle or trailer. For the purposes of this section, the term "message" shall include words, phrases, sentences, numbers and other symbols or combinations thereof. This section shall not prohibit the lawful use of a lamp which illuminates the rear registration marker, as authorized [under] **pursuant to** section 307.075, or the use of a route indicator on a bus or other public transportation vehicle, or messages that display proper names of firms or corporations. Violations of this section shall be a class [A] **C** misdemeanor.

307.125. Any person who shall place or drive or cause to be placed or driven, upon or along any state or supplementary state highway of this state any animal-driven vehicle whatsoever, whether in motion or at rest, shall after sunset to one-half hour before sunrise have attached to every such vehicle at the rear thereof a red taillight or a red reflecting device of not less than three inches in diameter of effective area or its equivalent in area. When such device shall consist of reflecting buttons there shall be no less than seven of such buttons covering an area equal to a circle with a three-inch diameter. The total subtended effective angle of reflection of every such device shall be no less than sixty degrees and the spread and efficiency of the reflected light shall be sufficient for the reflected light to be visible to the driver of any motor vehicle approaching such animal-drawn vehicle from the rear of a distance of not less than five hundred feet. In addition, any person who operates any such animal-driven vehicle during the hours between sunset and one-half hour before sunrise shall have at least one light flashing at all times the vehicle is on any highway of this state. Such light or lights shall be amber in the front and red in the back and shall be placed on the left side of the vehicle at a height of no more than six feet from the ground and shall be visible from the front and the back of the vehicle at a distance of at least five hundred feet. Any person violating the provisions of this section shall be guilty of a **class C** misdemeanor.

307.127. 1. No person shall operate on any public highway of this state any slow-moving vehicle or equipment after sunset to one-half hour before sunrise, any animal-drawn vehicle, or any other machinery, designed for use or normally operated at speeds less than twenty-five miles per hour, including all road construction or maintenance machinery except when engaged in actual construction or maintenance work either guarded by a flagman or clearly visible warning signs, which normally travels or is normally used at a speed of less than twenty-five miles per hour unless there is displayed on the rear thereof an emblem as described in, and displayed as provided in subsection 2 in this section. The requirement of such emblem shall be in addition to any lighting devices required by section 307.115.

2. The emblem required by subsection 1 of this section shall be of substantial construction, and shall be a basedown equilateral triangle of fluorescent yellow-orange film or equivalent quality paint with a base of not less than fourteen inches and an altitude of not less than twelve inches. Such triangle shall be bordered with reflective red strips having a minimum width of one and three-fourths inches, with the vertices of the overall triangle truncated such that the remaining altitude shall be a minimum of fourteen inches. Such emblem shall be mounted on the rear of such vehicle near the horizontal geometric center of the rearmost vehicle at a height of not less than four feet above the roadway, and shall be maintained in a clean, reflective condition. The provisions of this section shall not apply to any vehicle or equipment being operated on a gravel or dirt surfaced public highway.

3. Any person who shall violate the provisions of this section shall be guilty of [a misdemeanor] **an infraction**.

4. No emblem shall be required on machinery or equipment pulled or attached to a farm tractor providing the machinery or equipment does not extend more than twelve feet to the rear of the tractor and permits a clear view of the emblem on the tractor by vehicles approaching from the rear.

307.155. Any person violating any of the provisions of sections 307.130 to 307.160 shall be deemed guilty of a **class C** misdemeanor and shall be punished by a fine of not to exceed fifty dollars for each offense.

307.170. 1. Signaling devices: Every motor vehicle shall be equipped with a horn, directed forward, or whistle in good working order, capable of emitting a sound adequate in quantity and volume to give warning of the approach of such vehicle to other users of the highway and to pedestrians. Such signaling device shall be used for warning purposes only and shall not be used for making any unnecessary noise, and no other sound-producing signaling device shall be used at any time.

2. Muffler cutouts: Muffler cutouts shall not be used and no vehicle shall be driven in such manner or condition that excessive and unnecessary noises shall be made by its machinery, motor, signaling device, or other parts, or by any improperly loaded cargo. The motors of all motor vehicles shall be fitted with properly attached mufflers of such capacity or construction as to quiet the maximum possible exhaust noise as completely as is done in modern gas engine passenger motor vehicles. Any cutout or opening in the exhaust pipe between the motor and the muffler on any motor vehicle shall be completely closed and disconnected from its operating lever, and shall be so arranged that it cannot automatically open, or be opened or operated while such vehicle is in motion.

3. Brakes: All motor vehicles, except motorcycles, shall be provided at all times with two sets of adequate brakes, kept in good working order, and motorcycles shall be provided with one set of adequate brakes kept in good working order.

4. Mirrors: All motor vehicles which are so constructed or loaded that the operator cannot see the road behind such vehicle by looking back or around the side of such vehicle shall be equipped with a mirror so adjusted as to reveal the road behind and be visible from the operator's seat.

5. Projections on vehicles: All vehicles carrying poles or other objects, which project more than five feet from the rear of such vehicle, shall, during the period when lights are required by this chapter, carry a red light at or near the rear end of the pole or other object so projecting. At other times a red flag or cloth, not less than sixteen inches square, shall be displayed at the end of such projection.

6. Towlines: When one vehicle is towing another, the connecting device shall not exceed fifteen feet. During the time that lights are required by sections 307.020 to 307.120, the required lights shall be displayed by both vehicles. Every towed vehicle shall be coupled to the towing vehicle by means of a safety chain, cable, or equivalent device in addition to the primary coupling device, except that such secondary coupling device shall not be necessary if the connecting device is connected to the towing vehicle by a center-locking ball located over or nearly over the rear axle and not supported by the rear bumper of the towing vehicle. Such secondary safety connecting devices shall be of sufficient strength to control the towed vehicle in the event of failure of the primary coupling device. The provisions of this subsection shall not apply to wreckers towing vehicles or to vehicles secured to the towing vehicle by a fifth-wheel type connection.

7. The provisions of subsection 6 of this section shall not apply to farm implements, or to any vehicle which is not required to be registered.

8. Commercial motor vehicles and trailers: When being operated on any highway of this state shall be equipped with adequate and proper brakes, lighting equipment, signaling devices, steering mechanisms, horns, mirrors, windshield wipers, tires, wheels, exhaust system, glazing, air pollution control devices, fuel tank, and any other safety equipment required by the state in such condition so as to obtain a certificate of inspection and approval as required by the provisions of section 307.360.

9. Devices attached to or towed by motor vehicles for the purpose of transporting hay shall have the protruding parts raised or retracted when not in use to a position which will not cause injury or damage to persons or property in the vicinity of such device when on the highways of this state.

10. Violation of this section shall be deemed an infraction.

307.171. 1. No person shall operate any motor vehicle upon any road or highway of this state between the first

day of April and the first day of November while the motor vehicle is equipped with tires containing metal or carbide studs.

2. Any person violating the provisions of this section is guilty of [a misdemeanor, and upon conviction thereof shall be punished as provided by law] **an infraction**.

307.195. 1. No person shall operate a motorized bicycle on any highway or street in this state unless [he] **the person** has a valid license to operate a motor vehicle.

2. No motorized bicycle may be operated on any public thoroughfare located within this state which has been designated as part of the federal interstate highway system.

3. Violation of this section shall be deemed a class C misdemeanor.

307.350. 1. The owner of every motor vehicle as defined in section 301.010, RSMo, which is required to be registered in this state, except:

(1) New motor vehicles which have not been previously titled and registered, prior to the initial motor vehicle registration or the next succeeding registration which is required by law;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered [under] **pursuant to** section 301.131, RSMo; shall submit such vehicles to an annual inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for annual registration or within sixty days of when a vehicle's registration is transferred. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of [his] **such owner's** choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available [under] **pursuant to** section 301.144, RSMo, or a set of any license plates available [under] **pursuant to** section 301.142, RSMo, prior to the expiration date of such motor vehicle's current annual registration.

4. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.

307.366. 1. This enactment of the emissions inspection program is a mandate of the United States Congress [under] **pursuant to** the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq. In any city not within a county, any county of the first classification having a population of over nine hundred thousand inhabitants according to the most recent decennial census, any county of the first classification with a charter form of government and a population of not more than two hundred twenty thousand inhabitants and not less than two hundred thousand inhabitants according to the most recent decennial census, any county of the first classification without a charter form of government with a population of not more than one hundred eighty thousand inhabitants and not less than one hundred seventy thousand inhabitants according to the most recent decennial census and any county of the first classification without a charter form of government with a population of not more than eighty-two thousand inhabitants and not less than eighty thousand inhabitants according to the most recent decennial census, as a part of the motor vehicle inspection procedure required by sections 307.350 to 307.390, certain motor vehicles shall be tested to determine that the emissions system is functioning within the emission standards as specified by the Missouri air conservation commission and as required to attain the national health standards for air quality.

2. The provisions of this section shall not apply to:

(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;

(2) Motorcycles and motortricycles;

(3) Model year vehicles prior to 1971;

(4) School buses;

(5) Diesel-powered vehicles;

(6) Motor vehicles registered in the area covered by this section but which are based and operated exclusively in an area of this state not subject to the provisions of this section if the owner of such vehicle presents to the director a sworn affidavit that the vehicle will be based and operated outside the covered area; and

(7) New motor vehicles not previously titled or registered prior to the initial motor vehicle registration or the next succeeding registration which is required by law. Each official inspection station which conducts safety or emissions inspections in a city or county referred to in subsection 1 of this section shall indicate the gross vehicle weight rating of the motor vehicle on the safety inspection certificate if the vehicle is exempt from the emissions inspection [under] **pursuant to** subdivision (1) of this subsection.

3. In addition to the fee authorized by subsection 5 of section 307.365, a fee, not to exceed eight dollars and fifty cents for inspections conducted prior to January 1, 1993, and not to exceed ten dollars and fifty cents for inspections conducted thereafter, as determined by each official safety and emissions inspection station located in any city or county described in subsection 1 of this section, may be charged for an automobile emissions and air pollution control inspection in order to attain the national health standards for air quality. Such fee shall be conspicuously posted on the premises of each such inspection station. The official safety and emissions inspection station shall issue a certificate of inspection and an approval sticker or seal certifying the emissions system is functioning properly. The certificate or approval issued shall bear the legend: "This cost is mandated by your United States Congress." No owner shall be charged an additional fee after having corrected defects or unsafe conditions in the automobile's emissions and air pollution control system if the reinspection is completed within twenty consecutive days, excluding Saturdays, Sundays and holidays, and if such follow-up inspection is made by the station making the initial inspection.

4. The air conservation commission shall establish, by rule, a waiver amount which may be lower for older model vehicles and which shall be no greater than seventy-five dollars for model year vehicles prior to 1981 and no greater than two hundred dollars for model year vehicles of 1981 and all subsequent model years.

5. An owner whose vehicle fails upon reinspection to meet the emission standards specified by the Missouri air conservation commission shall be issued a certificate of inspection and an approval sticker or seal by the official safety and emissions inspection station that provided the inspection if the vehicle owner furnishes a complete, signed affidavit satisfying the requirements of this subsection and the cost of emissions repairs and adjustments is equal to or greater than the waiver amount established by the air conservation commission [under] **pursuant to** this section. The air conservation commission shall establish, by rule, a form and a procedure for verifying that repair and adjustment was performed on a failing vehicle prior to the granting of a waiver and approval. The waiver form established [under] **pursuant to** this subsection shall be an affidavit requiring:

(1) A statement signed by the repairer that the specified work was done and stating the itemized charges for the work; and

(2) A statement signed by the inspector that an inspection of the vehicle verified, to the extent practical, that the specified work was done.

6. The department of revenue shall require evidence of the inspection and approval required by this section in issuing the motor vehicle annual registration in conformity with the procedure required by sections 307.350 to 307.370.

7. Each safety and emissions inspection station located in any city or county described in subsection 1 of this section shall purchase from the highway patrol sufficient forms and stickers or other devices to evidence approval of the motor vehicle's emissions control system. In addition, safety and emissions inspection stations may be required to purchase forms for use in automated analyzers from outside vendors of the inspection station's choice. The forms must comply with state regulations.

8. In addition to the fee collected by the superintendent pursuant to subsection 5 of section 307.365, the highway patrol shall collect a fee of seventy-five cents for each automobile emissions certificate issued to the applicable official safety and emissions inspection stations, except that no charge shall be made for certificates of inspection issued to official safety and emissions inspection stations operated by governmental entities. All fees collected by the superintendent pursuant to this section shall be deposited in the state treasury to the credit of the "Missouri Air Pollution Control Fund", which is hereby created.

9. The moneys collected and deposited in the Missouri air pollution control fund pursuant to this section shall be allocated on an equal basis to the Missouri state highway patrol and the Missouri department of natural resources, air pollution control program, and shall be expended subject to appropriation by the general assembly for the administration and enforcement of sections 307.350 to 307.390. The unexpended balance in

the fund at the end of each appropriation period shall not be transferred to the general revenue fund, except as directed by the general assembly by appropriation, and the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue fund at the end of the biennium, shall not apply to this fund. The moneys in the fund shall be invested by the treasurer as provided by law, and the interest shall be credited to the fund.

10. The superintendent of the Missouri state highway patrol shall issue such rules and regulations as are necessary to determine whether a motor vehicle's emissions control system is operating as required by subsection 1 of this section, and the superintendent and the state highways and transportation commission shall use their best efforts to seek federal funds from which reimbursement grants may be made to those official inspection stations which acquire and use the necessary testing equipment which will be required to perform the tests required by the provisions of this section.

11. The provisions of this section shall not apply in any county for any time period during which the air conservation commission has established a motor vehicle emissions inspection program [under] **pursuant to** sections 643.300 to 643.355, RSMo, for such county.

12. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed a class C misdemeanor.

307.380. 1. Every vehicle of the type required to be inspected upon having been involved in an accident and when so directed by a police officer must be inspected and an official certificate of inspection and approval, sticker, seal or other device be obtained for such vehicle before it is again operated on the highways of this state. At the seller's expense every vehicle of the type required to be inspected by section 307.350, whether new or used, shall immediately prior to sale be fully inspected regardless of any current certificate of inspection and approval, and an appropriate new certificate of inspection and approval, sticker, seal or other device shall be obtained.

2. Nothing contained in the provisions of this section shall be construed to prohibit a dealer or any other person from selling a vehicle without a certificate of inspection and approval if the vehicle is sold for junk, salvage, or for rebuilding, or for vehicles sold at public auction or from dealer to dealer. The purchaser of any vehicle which is purchased for junk, salvage, or for rebuilding, shall give to the seller an affidavit, on a form prescribed by the superintendent of the Missouri state highway patrol, stating that the vehicle is being purchased for one of the reasons stated herein. No vehicle of the type required to be inspected by section 307.350 which is purchased as junk, salvage, or for rebuilding shall again be registered in this state until the owner has submitted the vehicle for inspection and obtained an official certificate of inspection and approval, sticker, seal or other device for such vehicle.

3. Notwithstanding the provisions of section 307.390, violation of this section shall be deemed an infraction.

544.216. Any sheriff or deputy sheriff, any member of the Missouri state highway patrol, and any county or municipal law enforcement officer in this state, except those officers of a political subdivision or municipality having a population of less than two thousand persons or which does not have at least four full-time nonelected peace officers unless such subdivision or municipality has elected to come under and is operating [under] **pursuant to** the provisions of sections 590.100 to 590.150, RSMo, may arrest on view, and without a warrant, any person [he] **the officer** sees violating or who [he] **such officer** has reasonable grounds to believe has violated any law of this state, including a misdemeanor **or infraction**, or has violated any ordinance over which such officer has jurisdiction. Peace officers of a municipality shall have arrest powers, as described in this section, upon lands which are leased or owned by the municipality in an unincorporated area. Ordinances enacted by a municipality, owning or leasing lands outside its boundaries, may be enforced by peace officers of the municipality upon such owned or leased lands. The power of arrest authorized by this section is in addition to all other powers conferred upon law enforcement officers, and shall not be construed so as to limit or restrict any other power of a law enforcement officer.

544.665. 1. In addition to the forfeiture of any security which was given or pledged for [his] **a person's** release, any person who, having been released pursuant to sections 544.040 to 544.665, or upon a recognizance or bond pursuant to any other provisions of law, willfully fails to appear before any court or judicial officer as required shall be guilty of an offense and punished as follows:

(1) If arrested for or charged with a felony, by a fine of not more than five thousand dollars or imprisoned for not more than five years;

(2) If arrested for or charged with a misdemeanor, by a fine of not more than one thousand dollars or confinement in the county jail for not more than one year;

(3) If arrested for the violation of a municipal ordinance, by a fine not to exceed five hundred dollars; provided that the sentence imposed shall not exceed the maximum fine or maximum period of imprisonment which could be imposed for the offense for which the accused was arrested.

[2. If the offense or ordinance violation be punished by fine only, punishment by confinement shall not be imposed.

3.] **2.** Nothing in sections 544.040 to 544.665 shall prevent the exercise by any court of its power to punish for

contempt.

575.150. 1. A person commits the crime of resisting or interfering with arrest if, knowing that a law enforcement officer is making an arrest, **or attempting to lawfully detain or stop an individual or vehicle, or the person reasonably should know that a law enforcement officer is making an arrest or attempting to lawfully detain or lawfully stop an individual or vehicle,** for the purpose of preventing the officer from effecting the arrest, **stop or detention,** [he] **the person**:

(1) Resists the arrest**, stop or detention** of [himself] **such person** by using or threatening the use of violence or physical force or by fleeing from such officer; or

(2) Interferes with the arrest**, stop or detention** of another person by using or threatening the use of violence, physical force or physical interference.

2. This section applies to arrests**, stops or detentions** with or without warrants and to arrests**, stops or detentions** for any crime or ordinance violation.

3. It is no defense to a prosecution [under] **pursuant to** subsection 1 of this section that the law enforcement officer was acting unlawfully in making the arrest. However, nothing in this section shall be construed to bar civil suits for unlawful arrest.

4. Resisting, by means other than flight, or interfering with an arrest for a felony is a class D felony; otherwise, resisting or interfering with arrest is a class A misdemeanor.".

Representative Backer offered House Amendment No. 1 to House Amendment No. 3.

House Amendment No. 1
to House Amendment No. 3

AMEND House Amendment No. 3 to House Bill No. 1047, page 21, Section 304.150, lines 1-12, by deleting all of said section.

On motion of Representative Backer, House Amendment No. 1 to House Amendment No. 3 was adopted.

Representative Levin offered House Amendment No. 2 to House Amendment No. 3.

House Amendment No. 2
to House Amendment No. 3

AMEND House Amendment No. 3 to House Bill No. 1047, page 29, line 17 from the top of the page by inserting immediately after said line the following:

"**(a) Notwithstanding the provisions of section 304.361, violation of this subdivision** is a class C misdemeanor."; and

Further amend said bill, page 30, line 1 of said page by striking the word "section" and inserting in lieu thereof the word "subdivision"

On motion of Representative Levin, House Amendment No. 2 to House Amendment No. 3 was adopted.

On motion of Representative Witt, House Amendment No. 3, as amended, was adopted.

Representative Graham offered House Amendment No. 4.

House Amendment No. 4

AMEND House Bill No. 1047, Page 2, Section 304.010, Line 21, by inserting after all of said line the following:

"**(5) All other roads provided for in subdivision (4) of this subsection shall not include any state two lane road which is identified by letter. Such lettered roads shall not exceed fifty- five miles per hour.**".

On motion of Representative Graham, House Amendment No. 4 was adopted by the following vote:

AYES: 131

Auer	Backer	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Bland	Boatright	Boucher	Bray
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Griffin	Gross	Gunn

Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Prost
Pryor	Reynolds	Ribaudo	Robirds	Ross
Sallee	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thompson 37	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Williams 121

Mr. Speaker

NOES: 022

Akin	Alter	Bonner	Clayton	Cooper
Daniel 42	Gaskill	Hagan-Harrell	Hohulin	Loudon
O'Neill	Richardson	Ridgeway	Rizzo	Scheve
Shelton 57	Thomason 163	Treadway	Wiggins	Williams 159
Witt	Wooten			

PRESENT: 000

Fourteenth Day-Wednesday, January 24, 1996

ABSENT WITH LEAVE: 009

Barnes	Hosmer	Jacob	Klumb	Leake
Morgan	Pouche	Skaggs	Troupe	

VACANCY: 001

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Representative Childers offered House Amendment No. 5.

House Amendment No. 5

AMEND House Bill No. 1047, page 2, section 304.010, line 41, by inserting before the word "bridges" on said line the following: "roads or"

On motion of Representative Childers, House Amendment No. 5 was adopted.

Representative Hall offered House Amendment No. 6.

House Amendment No. 6

AMEND House Bill No. 1047, Page 2, Section 304.010, Line 16, by deleting the word "seventy" and inserting in lieu thereof the word "sixty-five."

Representative Hall moved that House Amendment No. 6 be adopted.

Which motion was defeated.

Representative Schilling offered House Amendment No. 7.

House Amendment No. 7

AMEND House Bill No. 1047, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, In the Title, Line 4, by inserting after the word "clause" the following: "for certain sections"; and

Further amend said bill, Page 6, Section A, Line 77, by inserting after all of said line the following:

"Section B. Three new sections are enacted, to be known as sections 1, 2 and 3, to ready as follows:

Section 1. As used in sections 2 and 3 of this act, the following terms mean:

(1) "Great bodily injury", bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ;

(2) "Law enforcement official", any uniformed member of the state highway patrol, any state, county, or municipal law enforcement officer possessing the duty and power of arrest for violation of any criminal laws of the state or for violation of ordinances of counties or municipalities of the state, who serves full time, with pay.

Section 2. 1. A person commits the crime of eluding a law enforcement official by use of a motor vehicle if such person:

(1) Operates a motor vehicle after receiving a visual or audible signal, such as a red light or a siren, from a law enforcement official driving a motor vehicle clearly marked as an official police, sheriff, water patrol, or highway patrol vehicle directing the person to bring the motor vehicle to a stop; and

(2) Willfully increases the speed of the motor vehicle or extinguishes the lights of the motor vehicle for the purpose of eluding such law enforcement official; or

(3) Willfully attempts in any other manner to elude the law enforcement official; or

(4) Does elude such law enforcement official.

2. Eluding a law enforcement official by use of a motor vehicle is a class A misdemeanor, unless in the course of eluding or attempting to elude a law enforcement official by use of a motor vehicle, such person causes great bodily injury to any other person, in which case, the offense is a class D felony.

3. When any person is convicted of or pleads guilty to the crime of eluding a law enforcement official by use of a motor vehicle, in addition to the other penalties provided in this section, the driver's license of such person may be suspended by the court for a period not to exceed one year. However, in any case where the speed of the accused is determined to have exceeded the maximum speed limit by fifteen miles per hour when the maximum speed is fifty- five miles per hour or greater, the violator's driver's license shall be suspended by the court for a period of not less than ninety days. The court shall order the surrender of the license to the court, which shall dispose of in accordance with the provisions of section 302.225, RSMo.

4. It is no defense to a prosecution under subsection 1 of this section that the law enforcement official was acting unlawfully in stopping the vehicle. However, nothing in this section shall be construed to bar civil suits for unlawful arrest.

Section 3. 1. A person commits the crime of eluding a law enforcement official on foot if, after being given a visual or audible signal to stop by a law enforcement official in uniform, prominently displaying the law enforcement official's badge or other insignia of office, such person attempts to elude the law enforcement official by fleeing on foot.

2. Eluding a law enforcement official by fleeing on foot is a class B misdemeanor.

3. It is no defense to a prosecution under subsection 1 of this section that the law enforcement officer was acting unlawfully in stopping the person. However, nothing in this section shall be construed to bar civil suits for unlawful arrest.".

Representative Shields raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Schilling moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Boucher offered House Amendment No. 8.

House Amendment No. 8

AMEND House Bill No. 1047, page 1, title, line 2, by inserting after numeral "304.011" the numeral "304.580"; and

Further amend said bill, page 1, title, line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, page 1, section A, line 1, by inserting after the numeral "304.011" and inserting in lieu thereof the following: "and 304.580"; and

Further amend said bill, page 1, section A, line 2, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, page 1, section A, line 3 by deleting said line and inserting in lieu thereof the following: "304.010, 304.011, 304.012 and 304.580, to read as follows:"; and

Further amend said bill, page 6, line 72 by inserting after said line the following:

"304.580. As used in this section, the term **"construction zone"** or **"work zone"**means any area upon or around any highway as defined in section 302.010, RSMo, which is visibly marked by the department of highways and transportation as an area where construction, maintenance, or other work is temporarily occurring.

2. Upon a conviction or a plea of guilty by any person for a moving violation as defined in section 302.010, RSMo, or any offense listed in section 302.302, RSMo, [the court shall assess a fine of thirty-five dollars in addition to any other fine authorized to be imposed by law, if the offense occurred within a construction zone or a work zone.] the court shall assess a penalty double that of the normal fine imposed if the offense occurred within a construction zone.

3. This section shall not be construed to enhance the assessment of court costs or the assessment of points pursuant to section 302.302, RSMo."

Representative Shields offered House Amendment No. 1 to House Amendment No. 8.

House Amendment No. 1
to House Amendment No. 8

AMEND House Bill No. 1047, page 2, section 304.580, by adding after the word "zone" the following: "if construction workers are present"

On motion of Representative Shields, House Amendment No. 1 to House Amendment No. 8 was adopted.

On motion of Representative Boucher, House Amendment No. 8, as amended, was adopted by the following vote:

AYES: 077

Auer	Backer	Barnett 4	Bland	Boatright
Bonner	Boucher	Bray	Brown	Canuteson
Childers	Clayton	Copeland	Crum 112	Crump 152
Days	Donovan	Dougherty	Farmer	Farnen
Fitzwater	Foley	Franklin	Goward	Green
Gross	Hagan-Harrell	Harlan	Hartzler 124	Hendrickson
Hickey	Hoppe	Kauffman	Kelly 27	Kissell
Lakin	Leake	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Murphy	Murray 69	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Overschmidt	Pauley	Prost
Reynolds	Rizzo	Robirds	Scheve	Schilling
Schwab	Shear 83	Sheldon 104	Shelton 57	Shields
Smith	Sombart	Stokan	Stoll	Thomason 163
Treadway	Wieland	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 069

Akin	Alter	Ballard	Bartelsmeyer	Bennett 15
Burton	Carter	Champion	Chrismer	Cierpiot
Cooper	Daniels 41	Davis	Edwards-Pavia	Elliott
Enz	Evans	Fiebelman	Ford	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gunn	Hall	Hand
Hartzler 123	Heckemeyer	Hegeman	Hohulin	Howerton
Kasten	Keeven	Kelley 47	Kreider	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 133	Montgomery
Murray 135	Naeger	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Ross	Sallee	Scott
Secrest	Steen	Summers	Surface	Van Zandt
Vogel	Wannenmacher	Whiteside	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Broach	Daniel 42	Griffin	Hosmer
Jacob	Klumb	Koller	Morgan	Ribaudo
Sears 1	Skaggs	Tate	Thompson 37	Troupe

Ward

VACANCY: 001

Representative Hohulin offered House Amendment No. 9.

House Amendment No. 9

AMEND House Bill No. 1047, page 2, section 2, line 17, by deleting the word "sixty-five and replacing with the word "seventy"

Representative Hohulin moved that House Amendment No. 9 be adopted.

Which motion was defeated.

Representative Boucher offered House Amendment No. 10.

House Amendment No. 10

AMEND House Bill No. 1047, page 3, section 304.010, line 62, by inserting immediately before said line the following:

10. "No pick-up truck with an open bed shall operate on any highway in Missouri with a posted sixty mile per hour or greater speed limit when passengers are in the open bed of said truck."; and

by renumbering the remaining subsections accordingly.

Representative Lograsso raised a point of order that House Amendment No. 10 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Boucher moved that House Amendment No. 10 be adopted.

Which motion was defeated.

On motion of Representative Thomason (163), **HB 1047, as amended,** was ordered perfected and printed.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 114 through 138**, begs leave to report it has examined the same and recommends that they **Do Pass**.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1108 - Judiciary and Ethics

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1204 - Agri-Business

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 48, introduced by Representative Smith, et al, relating to supreme court rules.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1272, introduced by Representative Dougherty, et al, relating to environmental policy.

HB 1273, introduced by Representative Shelton (57), relating to prohibiting the use or sale of radar detectors.

HB 1274, introduced by Representative Shelton (57), relating to the department of highways and transportation.

HB 1275, introduced by Representative Shelton (57), relating to the

issuanceent
of motor vehicleand boat licenses.

HB 1276, introduced by Representative Shelton (57), relating to landlord-tenant relations.

HB 1277, introduced by Representatives May (108) and O'Toole, et al, relating to certain landlord-tenant actions.

HB 1278, introduced by Representative Rizzo, et al, relating to landlord and tenant relations.

HB 1279, introduced by Representative Tate, relating to the transient guest tax.

HB 1280, introduced by Representative Canuteson, relating to the filing of crime victims' compensation claims and funding the "Crime Victims' Compensation Fund".

HB 1281, introduced by Representative Stoll, relating to psychologists.

HB 1282, introduced by Representatives Shear, Boucher and Dougherty, et al, relating to health insurance.

HB 1283, introduced by Representative Daniels (41), relating to licensed gaming activities.

HB 1284, introduced by Representatives Murray (69), May (108) and Kissell, et al, relating to motor vehicles.

HB 1285, introduced by Representative Pryor, et al, relating to vessel operator licensing.

HB 1286, introduced by Representative Pryor, et al, relating to salaries for public administrators.

HB 1287, introduced by Representative Pryor, et al, relating to planning and zoning in certain counties.

HB 1288, introduced by Representative Marshall (26), relating to intensive livestock agriculture.

HB 1289, introduced by Representative Liese, et al, relating to settlement of life insurance policies.

HB 1290, introduced by Representative Tate, relating to compensation for employees of the juvenile court.

HB 1291, introduced by Representative Gunn, et al, relating to certain telecommunications services.

HB 1292, introduced by Representative Prost, et al, relating to the issuance of marriage licenses.

HB 1293, introduced by Representative Prost, et al, relating to sales and use tax.

HB 1294, introduced by Representative Liese, relating to school district operations.

HB 1295, introduced by Representative Gunn, et al, relating to military affairs.

HB 1296, introduced by Representatives Lakin and Kauffman, et al, relating to real property tax increment allocation re-development.

HB 1297, introduced by Representative Lakin, relating to public administrators.

HB 1298, introduced by Representatives May (108) and Hosmer, et al, relating to providing safer schools.

.**HB 1299**, introduced by Representative McLuckie, relating to environmental protection.

HB 1300, introduced by Representative Hartzler (123), relating to sewer districts.

HB 1301, introduced by Representatives McLuckie, Kelly (27), Days, Smith, Ostmann and McClelland, et al, relating to providing safer schools.

HB 1302, introduced by Representative Smith, et al, relating to administrative procedure.

HB 1303, introduced by Representative Reynolds, relating to motor vehicle financial responsibility.

HB 1304, introduced by Representative Hosmer, relating to emergency telephone services.

Fourteenth Day-Wednesday, January 24, 1996

WITHDRAWAL OF HOUSE BILLS

January 15, 1996

The Honorable Steve Gaw

Speaker of the House

House of Representatives

Capitol Building

Jefferson City, Missouri 65101

Dear Mr. Speaker:

I respectfully request that **HB 825** and **HB 877** be withdrawn.

Your attention and consideration of this matter is greatly appreciated.

Respectfully submitted,

/s/Jim Kreider

State Representative

142nd District

January 24, 1996

The Honorable Steve Gaw

Room 308, State Capitol

Jefferson City, MO 65101

Dear Speaker Gaw:

I respectfully request that **HB 1151** be withdrawn.

Respectfully submitted,

/s/ Sheila Lumpe

The following member's presence was noted: Representatives Troupe and Jacob.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, January 25, 1996.

COMMITTEE MEETINGS

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 29, 1996, 12:00 pm. Hearing Room 8. HB 1006, HB 1007. Governor's recommended changes.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 30, 1996. Hearing Room 8 upon adjournment. HB 1006, HB1007. Governor's recommended changes.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 31, 1996. Hearing Room 8 upon adjournment. HB 1006, HB 1007 mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 1, 1996. Hearing Room 8 upon adjournment. HB 1006, HB 1007 mark up.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, January 29, 1996, 6:00 pm. Hearing Rooms 1 & 2. HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 30, 1996, 6:00 pm. Hearing Rooms 1 & 2. HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 30, 1996. Hearing Rooms 1 & 2 fifteen minutes after adjournment to 2:45pm. HB 9 Dept. of Corrections, HB 11 Dept. of Soc. Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996, 6:00 pm. Hearing Rooms 1 & 2. HB 9 Dept. of Corrections, HB 11 Dept. of Social

Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996. Hearing Rooms 1 & 2 fifteen minutes after adjournment to 2:45pm. HB 9 Dept. of Corrections, HB 11 Dept. of Soc. Services

BUDGET

Thursday, January 25, 1996, 8:30 am. Hearing Room 9. Possible Executive Session.

To be considered - HB 1014

ENERGY AND ENVIRONMENT

Thursday, January 25, 1996, 8:00 am. Hearing Room 8. Executive Session may follow.

To be considered - HB 945, HB 1103

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Thursday, January 25, 1996, 9:45 am. Side Gallery.

To be considered - Executive Session - HB 832

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, January 29, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1115, HB 1076

INTERIM COMMITTEE ON SAFE SCHOOLS (H)

Monday, January 29, 1996, 2:30 pm. Hearing Rooms 3 & 4.

Fourteenth Day-Wednesday, January 24, 1996

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS

Monday, January 29, 1996. Room 402 upon adjournment.

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Wednesday, January 31, 1996, 2:00 pm. Senate West Gallery.

HOUSE CALENDAR

FIFTEENTH DAY, THURSDAY, JANUARY 25, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 48 - Smith

HOUSE BILLS FOR SECOND READING

HB 1272 through HB 1304

HOUSE BILL FOR THIRD READING

HB 1047, E.C. - Thomason (163)

COURTESY RESOLUTIONS

HR 114 - Hohulin

HR 115 - Farnen

HR 116 - Williams (159)

HR 117 - Marshall (26)

HR 118 - Bartelsmeyer

HR 119 - Bartelsmeyer

HR 120 - Harlan

HR 121 - Sears (1)

HR 122 - Sears (1)

HR 123 - Marshall (26)

HR 124 - Scott

HR 125 - Marshall (26)

HR 126 - Montgomery

HR 127 - Hagan-Harrell

HR 128 - Gibbons

HR 129 - Gibbons

HR 130 - Gibbons

HR 131 - Gibbons

HR 132 - Gibbons

HR 133 - Gibbons

HR 134 - Fitzwater

HR 135 - Enz

HR 136 - Williams (159)

HR 137 - Sears (1)

HR 138 - Pryor

House Members
Bill Information
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Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

FIFTEENTH DAY, Thursday, January 25, 1996

Speaker Gaw in the Chair.

Prayer by Rev. Cheryl L. Tatham.

Gracious God, continue in these busy days of deliberation and decisions, to give guidance to the leaders in this House. To Speaker Gaw as he provides a new eye to the business of the House and to others whose leadership has been called upon.

When we falter in our journey, O Lord, failing to trust your guidance and closing our eyes to what we know is right and just, forgive us and return us again to the paths you would have us follow. Keep us steadfast in the tasks of the day and comfort us when our spirits and energies falter. Amen.

The Pledge of Allegiance to the flag was recited.

Moment of Silence

Representative Backer requested that the House stand at ease for a moment of silence in the memory of Christa McAuliffe and the Challenger Crew. As you remember, Ms. McAuliffe was a crew member on the shuttle Challenger. Although it seems like yesterday, the shuttle tragedy occurred on January 28, 1986. This moment of silence is part of a world-wide moment of remembrance project started by Shelia Perry of Bloomfield, MO and was brought to our attention by the Representative from the Williams (159) district.

Speaker Gaw appointed the following to act as Honorary Page for the Day, to serve without compensation: Maren Gehrts.

The Journal of the fourteenth day was approved as corrected.

RESOLUTIONS

Representatives Gross and Bennett offered House Resolution No. 139, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross and Bennett offered House Resolution No. 140, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross and Bennett offered House Resolution No. 141, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ostmann and Gross offered House Resolution No. 142, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 143, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 144, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gratz and Vogel offered House Resolution No. 145, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foster offered House Resolution No. 146, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Leake offered House Resolution No. 147, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mitchell offered House Resolution No. 148, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Sears and Summers offered House Resolution No. 149, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Sears and Summers offered House Resolution No. 150, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barnes offered House Resolution No. 151, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution No. 152, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Morgan offered House Resolution No. 153, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hosmer offered House Resolution No. 154, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griffin addressed the House.

House Members, Staff, Friends, and Honored Guests:

Life is a series of journeys--never smooth, but always eventful.

Today, I prepare to take a new one.

I intend to take this journey as I have approached every opportunity in my life--moving toward a new destination rather than away from an old one.

And I look forward to the exciting challenges ahead.

Yet, as is often the case with travelers, I take this opportunity to look back for just a few moments and marvel at how far we have come together.

I say "we" because I have been one of those fortunate travelers who has never had to walk alone.

Some of us in this chamber may have walked only a few steps together and others countless miles. But I hope whatever the length of time, you have gained the healthy respect for my ideas that I have gained for yours.

In my 26 years as a member of this body, we have accomplished much. We have made the legislative process more efficient and effective. We have expanded the budget process to give more legislators a larger voice in the way we spend state resources. By opening up the committee process and working hard to tell our story to Missourians, we have given our citizens the chance for greater input and kept the public better informed on the issues. We have made many important contributions to the welfare of Missouri.

Our Outstanding Schools Act and before that, the Excellence in Education Act have invested our state resources right where they should be--in creating better educational opportunities for all our children. We have increased access to health care for thousands of needy Missourians and school children. We have led the nation in landmark legislation to fight AIDS.

Our tougher crime laws for adults and juveniles, campaign finance improvements, stronger ethics laws for public officials, welfare reform, and Linked Deposit Loan Program are only a few of the tremendous achievements we have experienced over our years together.

Through your generous contributions, we have been able to greatly expand the Hall of Famous Missourians in the Third Floor Rotunda. These 16 bronze busts of famous Missourians will be here long after all of us to inform and inspire the quarter-of-a-million people that visit this building each year. But none of these and the many other accomplishments too numerous to name would have been possible without the total commitment and dedication of so many talented and wonderful people.

Starting right at the top and encompassing every support person in this body, we have the finest and hardest working legislative staff you will find anywhere, and once more I ask you to applaud their efforts. In my 15 years as Speaker, I was extremely fortunate to have many terrific and loyal people working for me--people like Gayle, Mark, and Sue. I have been blessed with a loving wife and two children who have stood beside me always. And I have had the good fortune to work and make lifelong friendships with many of you and many more before you.

When we completed our recent election for new House leadership, I expressed to the media that perhaps the most outstanding achievement I have witnessed in all the years I have been Speaker was the caucus process and the orderly transfer of power that we experienced. Only in a democracy such as ours does this process and smooth transition occur. Certainly, I have always been proud to be a Democrat, but I was never prouder to be one than during our caucus process.

We saw people put aside personal concerns and differences to do what was right for the people of the state of Missouri, and I believe our outstanding new leadership team truly reflects the diversity which has made this state a great one.

I will never forget the thrill of seeing Democrats, some of who have little in common in geography, background, and views, talking together, thinking things through together, and ultimately coming into this chamber smiling together because they knew they had done something good--something decent--something remarkable.

I am pleased to leave this chamber secure in the knowledge that our new Speaker, Steve Gaw, will do an excellent job. I don't know if Steve remembers the first time we met, but I do.

On May 5, 1992, we were doing a bust dedication in the Hall of Famous Missourians for Omar Bradley, who comes from Moberly. For the ceremony, we had heard about this talented singer from Moberly named Steve Gaw who could sing the national anthem. Steve very graciously agreed to perform and what a stirring rendition it was. So, as I saw him take the gavel last week, I could only think about what a rare gift we have in this wonderful government we call a democracy. We live in a state where one day, a young man is a citizen's voice in the Rotunda and the next, he is the voice of the House.

Mr. Speaker, I wish you and the rest of the new House leadership well. And I certainly want to extend my best wishes to those veterans in leadership as they continue the work their colleagues have selected them to do. I know that all of you will perform your duties admirably.

I wish I could leave all of you with some magic wisdom to prepare you for the joys and trials which lie ahead. But the lessons I have learned here are simple. Number One: your word is your bond--to your colleagues, to the media, to your constituents. If you do not have that, you have nothing. Second, worry is a waste of time and effort. Don't expend energy on things you are unable to change. Concentrate on the areas where you can make a difference. Number Three: you have an obligation not only to the people of your district, but to the best interests of the state as a whole. When these coincide, your choice is easy. When they do not, that is when you earn your paycheck and the sacred trust you have been given. And that sacred trust is only betrayed if you approach your role in a partisan way.

Save the politics for the campaign. Once you are here, you represent all the people--even the ones who didn't vote for you. Concentrate on the issues, not the ideologies. Approach those difficult decisions with all your concentration, all your courage, all your experience, and all your leadership. Do what will ultimately be the right thing for all concerned.

And my final lesson here has been that life is not always fair, and truth unfolds in its own time. But being tested only makes us stronger, and ultimately the truth will emerge. So, as I prepare to take this journey from public service back to private citizen, I realize how much I leave here.

But all of that pales in comparison to what I have to keep. Good friends--and I had no idea how many until this last year. More than any one person has any right to expect. Good memories. We have experienced much together, both professionally and personally. We can take great satisfaction in all the improvements we have made for the citizens we serve-- improvements in the quality of life which will survive us for decades to come. And good wishes.

You, the members and the staff of this body, are part of a noble endeavor. You have the will, the public responsibility, and the talent to do what is right for the people of the state of Missouri. I have every confidence that you will.

May God guide and protect you, the citizens of our great state, and this sacred body that I have loved and served to the best of my ability--the Missouri House of Representatives.

COURTESY RESOLUTIONS

House Resolution Nos. 114 through 138 were taken up.

On motion of Representative Backer, House Resolution Nos. 114 through 138 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 48 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1272 through **HB 1304** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1047**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL

HB 1047, relating to speed limits, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HB 1047** was read the third time and passed by the following vote:

AYES: 135

Akin	Alter	Auer	Backer	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Boucher	Bray
Broach	Brown	Burton	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Goward	Graham	Gratz	Green	Griffin
Gross	Gunn	Hagan-Harrell	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hohulin
Hoppe	Howerton	Jacob	Kasten	Kelley 47
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
Mitchell	Montgomery	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shields	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 018

Ballard	Bland	Bonner	Canuteson	Days
Froelker	Garnett	Gibbons	Griesheimer	Hand
Hendrickson	Hosmer	Kauffman	Keeven	Kelly 27
McClelland	Murphy	Scheve		

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Ford	Hall	Klumb	McLuckie
Morgan	Ribaudo	Shelton 57	Skaggs	

VACANCY: 001

Speaker Gaw declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Boatright	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Griffin
Gross	Gunn	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hickey	Hoppe	Howerton
Jacob	Kasten	Keeven	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
Mitchell	Montgomery	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shields	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 012

Bland	Days	Garnett	Hand	Hendrickson
Hohulin	Hosmer	Kauffman	McClelland	Murphy
Scheve	Steen			

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Bonner	Ford	Hagan-Harrell	Hall
Klumb	McLuckie	Morgan	Ribaudo	Shelton 57
Skaggs				

VACANCY: 001

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 671**, entitled:

To repeal section 246.070, RSMo 1994, relating to flood relief, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 49, introduced by Representative Tate, relating to water control bonds.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1305 , introduced by Representative Gratz, relating to weeds.

HB 1306, introduced by Representatives Treadway and Nordwald, relating to the division of professional registration.

HB 1307, introduced by Representative Hohulin, relating to certain violations of criminal laws.

HB 1308, introduced by Representative Hohulin, relating to certain violations of criminal laws.

HB 1309, introduced by Representative Tate, relating to abandoned property.

HB 1310, introduced by Representative Tate, relating to interdistrict school transfers.

HB 1311, introduced by Representative Elliott, relating to the regulation of telecommunications.

HB 1312, introduced by Representative Tate, relating to water control.

HB 1313, introduced by Representative O'Neill, et al, relating to unemployment security.

HB 1314, introduced by Representative Hartzler (124), et al, relating to criminal procedures.

HB 1315, introduced by Representative Schwab, relating to motor vehicle operator licenses.

HB 1316, introduced by Representative Thompson (37), et al, relating to liquor.

HB 1317, introduced by Representatives Dougherty and Days, et al, relating to insurance coverage for cancer prevention.

HB 1318, introduced by Representative Howerton, et al, relating to the department of natural resources.

HB 1319, introduced by Representative Tate, relating to underground storage tanks.

HB 1320, introduced by Representatives O'Connor, et al, relating to abortions.

HB 1321, introduced by Representative Hohulin, relating to domestic relations.

HB 1322, introduced by Representative Naeger, et al, relating to certain health care benefits.

HB 1323, introduced by Representative Naeger, relating to health insurance.

HB 1324, introduced by Representative Bland, et al, relating to scholarships.

HB 1325, introduced by Representatives Wiggins and Gaw, et al, relating to county zoning for limited purposes.

HB 1326, introduced by Representatives Prost and Williams (159), et al, relating to health maintenance organizations.

HB 1327, introduced by Representative Jacob, relating to certain residential care facilities.

HB 1328, introduced by Representative Long, et al, relating to campaign finances.

HB 1329, introduced by Representative Cierpiot, et al, relating to the licensing of physicians and surgeons.

HB 1330, introduced by Representative Hosmer, relating to certain political party committees.

HB 1331, introduced by Representative Schilling, relating to murder.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Sam Leake appointed a member of Appropriations-Education and Public Safety Committee.

Representative Steve McLuckie no longer a member of Appropriations-Education and Public Safety Committee.

Representative Dorathea Davis appointed a member of Judiciary and Ethics Committee, but no longer a member of the Education - Elementary and Secondary Committee.

Representative Backer appointed Chair of the Rules, Joint Rules and Bills Perfected and Printed Committee.

Representative Crump appointed Vice-Chair of the Rules, Joint Rules and Bills Perfected and Printed Committee.

AJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, January 29, 1996.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Fourteenth Day, Wednesday, January 25, 1996, Page 26, roll call, by showing Representative Broach voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 31, 1996, 3:00 pm. Hearing Rooms 3 & 4.

To be considered - HB 797, HB 1120, HB 1175

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, January 29, 1996, 1:00 pm. Hearing Room 7. HB 1012 Judiciary,

Public Defender; HB 1003 Higher Education Amended Corrected Notice

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Monday, January 29, 1996, 1:00 pm. Hearing Room 9. HB 1005 Office of

Administration; HB 1001 Public Debt

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Tuesday, January 30, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1004 Dept. of Revenue

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Wednesday, January 31, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1004 Dept. of Hwys. & Transportation, HB 1012 General Assembly

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 1, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1012 General Assembly

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 30, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 31, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 1, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 5, 1996, 12:00 pm. Hearing Room 5. Dept. of Mental Health. mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 6, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, January 29, 1996, 12:00 pm. Hearing Room 8. HB 1006, HB 1007.

Governor's recommended changes.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 30, 1996. Hearing Room 8 upon adjournment.

HB 1006, HB 1007 Governor's recommended changes.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 31, 1996. Hearing Room 8 upon adjournment.

HB 1006, HB 1007 mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 1, 1996. Hearing Room 8 upon adjournment.

HB 1006, HB 1007 mark up.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, January 29, 1996, 6:00 pm. Hearing Rooms 1 & 2.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 30, 1996, 6:00 pm. Hearing Rooms 1 & 2.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 30, 1996. Hearing Rooms 1 & 2 fifteen minutes after adjournment to 2:45pm.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996, 6:00 pm. Hearing Rooms 1 & 2.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996. Hearing Rooms 1 & 2 fifteen minutes after adjournment to 2:45pm.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

BUDGET

Tuesday, January 30, 1996, 8:30 am. Hearing Room 9.

To be considered - Executive Session - HB 1014

CHILDREN, YOUTH, AND FAMILIES

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 9.

To be considered - HB 855, HB 1128, HB 981, HB 1042, HB 1109

CIVIL AND CRIMINAL LAW

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 890, HB 780, HB 817, HB 1032, HB 803, HB 812

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 823, HB 830, HB 974

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 1113, HB 805, HB 808, HB 875, HB 1039, HB 1185

ELECTIONS

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow.

To be considered - HB 1136

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, January 29, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1115, HB 1076

FEES AND SALARIES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 1.

To be considered - Executive Session - HB 937

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 31, 1996, 8:00 am. Hearing Room 8. Executive Session to follow.

To be considered - HJR 41, HB 878, HB 1029, HB 1156

Fifteenth Day-Thursday, January 25, 1996

INSURANCE

Tuesday, January 30, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 848, HB 1059, HB 983, HB 929

INTERIM COMMITTEE ON SAFE SCHOOLS (H)

Monday, January 29, 1996, 2:30 pm. Hearing Rooms 3 & 4.

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS

Monday, January 29, 1996. Room 402 upon adjournment.

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Wednesday, January 31, 1996, 2:00 pm. Senate West Gallery.

JUDICIARY AND ETHICS

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 5. Executive Session may follow.

To be considered - HB 836, HB 852, HB 1064, HB 1198, HB 1108

LABOR

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 874, HB 951, HB 795

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 840, HB 841, HB 872, HB 899

MUNICIPAL CORPORATIONS

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 909, HB 1192, HB 1027

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, January 29, 1996, 8:00 pm. Hearing Room 7. Corrected Notice.

To be considered - HB 1097, HB 1056, HB 1040, HB 1065, HJR 47

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 5. Executive Session to follow.

To be considered - HB 781, HB 847, HB 996, HB 1117, HB 1055

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 2. Executive Session may follow.

To be considered - HB 777, HB 1041

URBAN AFFAIRS

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 3. Executive Session may follow.

To be considered - HB 956, HB 1140, HB 1054

Fifteenth Day-Thursday, January 25, 1996

WAYS AND MEANS

Tuesday, January 30, 1996, 3:00 pm. Hearing Rooms 1 & 2.

To be considered - HB 1172, HB 916, HB 952, HB 934, HB 1031, HB 1061, HB 903

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, January 29, 1996, 8:00 pm. Hearing Room 5. Sandra Moore will speak on the fraud & non-compliance units and give an overview of the annual report.

HOUSE CALENDAR

SIXTEENTH DAY, MONDAY, JANUARY 29 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 49

HOUSE BILLS FOR SECOND READING

HB 1305 through HB 1331

SENATE BILL FOR SECOND READING

SB 671

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Who is your Representative?
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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SIXTEENTH DAY, Monday, January 29, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"You have seen what I did..I carried you on eagle's wings." (Ex. 19:4).

The Sunday magazine featured the Bald Eagle along the Mississippi here in Missouri. It got me to thinking about the consideration of the turkey as the national bird symbol, because George Washington thought of the Eagle as a scavenger and a predator while the turkey was a noble bird for him.

Our views have changed, we see the eagle as majestic and soaring and we use the word "turkey" as an insult for certain kinds of conduct.

Today, gracious God, as we begin this week and are about to end this month, we pray for the eagle that is in all of us, capable of destruction and capable of great nobility. Someone has said that "it is hard to fly like an eagle when you are surrounded by turkeys " but we know that so often we take no responsibility for our actions, and we blame our peers or the atmosphere of our place of work. Lift us high, heavenly Father, as we take heart in that other beautiful image from Isaiah, of being carried by you on eagle's wings. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Reuben Hartzler, Bethany Hartzler and Emma Hartzler.

The Journal of the fifteenth day was approved as printed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan

Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Ford	Griffin	Hoppe	Kasten

Ribaudo

VACANCY: 001

RESOLUTIONS

Representative Gaw, joined by the entire House Membership, offered House Resolution No. 155, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution Nos. 156 through 159, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Leake offered House Resolution No. 160, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution Nos. 161 through 164, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pauley offered House Resolution No. 165, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green offered House Resolution No. 166, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 167, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 168, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 49 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1305 through **HB 1331** were read the second time.

SECOND READING OF SENATE BILL

SB 671 was read the second time.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 48 - Judiciary and Ethics

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1209 - Education - Elementary and Secondary

HB 1210 - Motor Vehicle and Traffic Regulations

HB 1211 - Education - Elementary and Secondary

HB 1212 - Agriculture

HB 1213 - Civil and Criminal Law

HB 1214 - Agriculture

HB 1215 - Budget

HB 1216 - Correctional and State Institutions

HB 1217 - Social Services, Medicaid and the Elderly

HB 1220 - Insurance

HB 1221 - Local Government and Related Matters

HB 1222 - Local Government and Related Matters

HB 1223 - Ways and Means

HB 1224 - Civil and Criminal Law

HB 1225 - Education - Elementary and Secondary

HB 1226 - Social Services, Medicaid and the Elderly

HB 1227 - Energy and Environment

HB 1228 - Judiciary and Ethics

HB 1229 - Governmental Organization and Review

HB 1230 - Ways and Means

HB 1231 - Judiciary and Ethics

HB 1232 - Judiciary and Ethics

HB 1233 - Municipal Corporations

HB 1234 - Ways and Means

HB 1235 - Education - Elementary and Secondary

HB 1236 - Education - Higher

HB 1237 - Commerce

HB 1238 - Civil and Criminal Law

HB 1240 - Ways and Means

HB 1241 - Judiciary and Ethics

HB 1242 - Ways and Means

HB 1244 - Tourism, Recreation and Cultural Affairs

HB 1245 - Civil and Criminal Law

HB 1246 - Ways and Means

HB 1247 - Public Health and Safety

HB 1248 - State Parks, Recreation and Natural Resources

HB 1250 - Children, Youth and Families

HB 1251 - Judiciary and Ethics

HB 1252 - Transportation

HB 1253 - Science, Technology and Critical Issues

HB 1254 - Social Services, Medicaid and the Elderly

HB 1255 - Judiciary and Ethics

HB 1256 - Agri-Business

HB 1257 - Correctional and State Institutions

HB 1258 - Urban Affairs

HB 1259 - Local Government and Related Matters

HB 1260 - Energy and Environment

HB 1261 - Insurance

HB 1262 - Insurance

HB 1263 - Insurance

HB 1264 - Commerce

HB 1265 - Labor

HB 1266 - Consumer Protection

HB 1267 - Urban Affairs

HB 1268 - Motor Vehicle and Traffic Regulations

HB 1269 - Motor Vehicle and Traffic Regulations

HB 1270 - Motor Vehicle and Traffic Regulations

HB 1271 - Science, Technology and Critical Issues

HB 1272 - Energy and Environment

HB 1273 - Civil and Criminal Law

HB 1274 - Fees and Salaries

HB 1275 - Motor Vehicle and Traffic Regulations

HB 1276 - Local Government and Related Matters

HB 1277 - Local Government and Related Matters

HB 1278 - Local Government and Related Matters

HB 1279 - Tourism, Recreation and Cultural Affairs

HB 1280 - Civil and Criminal Law

HB 1281 - Professional Registration and Licensing

HB 1283 - Ways and Means

HB 1284 - Civil and Criminal Law

HB 1285 - Motor Vehicle and Traffic Regulations

HB 1286 - Fees and Salaries

HB 1287 - Local Government and Related Matters

HB 1288 - Agriculture

HB 1289 - Insurance

HB 1290 - Fees and Salaries

HB 1291 - Consumer Protection

HB 1292 - Public Health and Safety

HB 1293 - Ways and Means

HB 1294 - Education - Elementary and Secondary

HB 1295 - Federal-State Relations and Veterans Affairs

HB 1296 - Commerce

HB 1297 - Local Government and Related Matters

HB 1298 - Science, Technology and Critical Issues

HB 1299 - Energy and Environment

HB 1300 - Local Government and Related Matters

HB 1301 - Science, Technology and Critical Issues

HB 1302 - Judiciary and Ethics

HB 1303 - Transportation

HB 1304 - Civil and Criminal Law

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 671 - Agriculture

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1332, introduced by Representative Hosmer, relating to probation and parole.

HB 1333, introduced by Representative Murphy, relating to taxation.

HB 1334, introduced by Representative Tatum-Brown, et al, relating to certain records of the department of health.

HB 1335, introduced by Representative Scheve, relating to the boundary commission.

HB 1336, introduced by Representative Richardson, relating to elementary and secondary education.

HB 1337, introduced by Representative Stoll, relating to state aid for public schools.

HB 1338, introduced by Representative Hall, relating to ambulance districts.

HB 1339, introduced by Representative Franklin, relating to the public school retirement system.

HB 1340, introduced by Representative Tatum-Brown, et al, relating to property taxation.

HB 1341, introduced by Representative Rizzo, relating to the transfers of certain vehicles by motor vehicle franchise dealers.

HB 1342, introduced by Representatives Chrismer and Gibbons, et al, relating to sales taxation.

HB 1343, introduced by Representative Dougherty, relating to school bus operators.

COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Luetkenhaus appointed Chair of the Miscellaneous Bills and Resolutions Committee.

Representative Pauley no longer Chair of the Miscellaneous Bills and Resolutions Committee.

Representative Kissell appointed Vice-Chair of the Public Health and Safety Committee; and a member of the Appropriations - Natural and Economic Resources Committee.

Representative Hickey no longer a member of the Appropriations - Natural and Economic Resources Committee; and no longer a member of the Fees and Salaries Committee.

Representative O'Connor no longer Vice-Chair of the Public Health and Safety Committee.

Representative Sears appointed Vice-Chair of the Fees and Salaries Committee.

Representative Griesheimer appointed a member of the Commerce Committee.

Representative Burton appointed a member of the Consumer Protection Committee.

Representative Hegeman no longer a member of the Commerce Committee.

Representative Chrismer no longer a member of Consumer Protection Committee.

LETTER OF RESIGNATION

January 26, 1996

The Honorable Steve Gaw

Speaker of the House

Room 308

Missouri House of Representatives

State Capitol Building

Jefferson City, MO 65101

Dear Speaker Gaw:

This is to inform you that I wish to resign my position as state representative for Legislative District 6, effective January 31, 1996.

I have greatly appreciated the opportunity to serve my constituents and the citizens of the state of Missouri for the past 26 years. The greatest honor of my life has been having the support and confidence of my colleagues as their Speaker for eight terms.

I would also like to take this opportunity to wish you every success in the future during your tenure as Speaker of the House.

Please inform the office of Governor Mel Carnahan and Secretary of State Bekki Cook of my resignation at your earliest convenience so that a special election can be held for my replacement.

Thank you for your kindness during this transition period. It has been a privilege to serve with you.

Respectfully submitted,

/s/ Rep. Bob F. Griffin

District 6

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, January 30, 1996.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 31, 1996, 3:00 pm. Hearing Rooms 3 & 4 Amended Notice.

Executive Session may follow

To be considered - HB 797, HB 1120, HB 1175, SB 671

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, January 30, 1996. Hearing Room 7 upon morning adjournment.

HB 1002 Elementary and Secondary Ed., HB 1008 Public Safety

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 31, 1996. Hearing Room 7 upon morning adjournment.

HB 1012 Judiciary Public Defender Mark-up

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Tuesday, January 30, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1004 Dept. of Revenue

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Wednesday, January 31, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1004 Dept. of Hwys. & Transportation, HB 1012 General Assembly

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 1, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1012 General Assembly

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, January 30, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 31, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 1, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 5, 1996, 12:00 pm. Hearing Room 5. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 6, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 1996. Hearing Room 5 upon adjournment. Dept of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, January 30, 1996. Hearing Room 8 upon adjournment.

HB 1006. HB 1007 Governor's recommended changes.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 31, 1996. Hearing Room 8 upon adjournment.

HB 1006. HB 1007 mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 1, 1996. Hearing Room 8 upon adjournment.

HB 1006. HB 1007 mark up.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 30, 1996, 6:00 pm. Hearing Rooms 1 & 2.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, January 30, 1996. Hearing Rooms 1 & 2 fifteen minutes after adjournment to 2:45pm.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996, 6:00 pm. Hearing Rooms 1 & 2.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996. Hearing Rooms 1 & 2 fifteen minutes after adjournment to 2:45pm.

HB 9 Dept. of Corrections, HB 11 Dept.of Social Services

BUDGET

Tuesday, January 30, 1996, 8:30 am. Hearing Room 9.

To be considered - Executive Session - HB 1014

CHILDREN, YOUTH, AND FAMILIES

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 9. Corrected Notice.

To be considered - HB 855, HB 1128, HB 981, HB 1042, HB 1109, HB 1250

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 31, 1996, 8:30 am. Hearing Room 1 & 2. Executive

Session. Immunization Bills and Maternity Stays

CIVIL AND CRIMINAL LAW

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 890, HB 780, HB 817, HB 1032, HB 803, HB 812

COMMERCE

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 9

To be considered - HB 989, HB 1088, HB 1123, HB 1133, Executive Session to follow

CONSUMER PROTECTION

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 1.

To be considered - HB 816, HB 828, HB 892

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 8 Amended Notice.

To be considered - HB 823, HB 830

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 1113, HB 805, HB 808, HB 875, HB 1039, HB 1185

EDUCATION - HIGHER

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 1138, HB 919, HB 918

ELECTIONS

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow.

To be considered - HB 1136

FEES AND SALARIES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 1 Amended Notice.

To be considered - Executive Session - HB 937, HB 1208

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 31, 1996, 8:00 am. Hearing Room 8. Executive Session to follow.

To be considered - HJR 41, HB 878, HB 1029, HB 1156

INSURANCE

Tuesday, January 30, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 848, HB 1059, HB 983, HB 929

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Wednesday, January 31, 1996, 2:00 pm. Senate West Gallery.

JUDICIARY AND ETHICS

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 5. Executive Session may follow.

To be considered - HB 836, HB 852, HB 1064, HB 1198, HB 1108

LABOR

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 8. Amended Notice.

To be considered - HB 951, HB 795

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 3. Executive Session to follow. Amended Notice

To be considered - HB 1049, HB 1092, HB 1093, HB 1132, HB 766, HB 1051, HB 1259

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 31, 1996, 8:30 am. Hearing Room 7. Executive Session to follow.

To be considered - HB 1058

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 840, HB 841, HB 872, HB 899

MUNICIPAL CORPORATIONS

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 909, HB 1192, HB 1027

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 910, HB 914, HB 1000, HB 907, HB 955, HB 999

PUBLIC HEALTH AND SAFETY

Tuesday, January 30, 1996, 3:00 pm. Hearing Room 9.

To be considered - HB 854, HB 859, HB 1077

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 9.

To be considered - HB 1301, HB 1298

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 5. Executive Session to follow.

To be considered - HB 781, HB 847, HB 996, HB 1117, HB 1055

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 2. Executive Session may follow.

To be considered - HB 777, HB 1041

URBAN AFFAIRS

Tuesday, January 30, 1996, 8:00 pm. Hearing Room 3. Executive Session may follow.

To be considered - HB 956, HB 1140, HB 1054

Sixteenth Day-Monday, January 29, 1996

WAYS AND MEANS

Tuesday, January 30, 1996, 3:30 pm. Hearing Rooms 1 & 2 Amended Notice.

To be considered - HB 1172, HB 916, HB 952, HB 934, HB 1031, HB 1061,

HB 903

HOUSE CALENDAR

SEVENTEENTH DAY, TUESDAY, JANUARY 30, 1996

HOUSE BILLS FOR SECOND READING

HB 1332 through HB 1343

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RELATED LINKS
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Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SEVENTEENTH DAY, Tuesday, January 30, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"The earth lies polluted for they have broken the everlasting covenant." (Is 24:5)

We are treated to the sermons and diatribes and the homilies from the overly pessimistic on a host of topics. While we reject extreme pessimism and the doomsayers, we do pay attention to the bad things that we have done and are responsible for, or to those things we have inherited which are now our responsibility to fix.

God of truth, beauty and goodness, we pray this morning for a spirit of truth, to recognize our sins and failures, for a spirit of honesty to take responsibility for our part in cleaning it up. We pray for a consistency, because if we solve one problem and cause another we have simply complicated the problem. The biblical quote today refers to moral pollution, but we have physical pollution caused by moral failure, and we have some moral and spiritual pollution which needs to be cleaned up, even as we recognize that the good outweighs the evil, but the evil usually gets more coverage. Renew and restore and call us back to our covenant with you, our gracious God. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as printed by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	

Montgomery				
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Ford	Griffin	O'Neill	Ribaudo

VACANCY: 001

RESOLUTIONS

Representative Fiebelman offered House Resolution No. 169, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Auer offered House Resolution No. 170, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thomason (163) offered House Resolution No. 171, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative May (108) offered House Resolution No. 172, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface and Elliott offered House Resolution No. 173, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface, Elliott and Burton offered House Resolution No. 174, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 175, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution Nos. 176 through 181, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mitchell offered House Resolution No. 182, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution Nos. 183 through 185, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution Nos. 186 through 197, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Tatum-Brown offered House Resolution No. 198, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1332 through **HB 1343** were read the second time.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 18**, entitled:

SENATE CONCURRENT RESOLUTION NO. 18

WHEREAS, The Kansas City historic Liberty Memorial is the only monument in the United States to the more than 112,000 brave Americans who gave their lives defending freedom during World War I;

WHEREAS, The Liberty Memorial is in danger of disintegrating and is closed to the public for reasons of safety;

WHEREAS, The Liberty Memorial is 68 years of age;

WHEREAS, The Liberty Memorial towers 217 feet above ground level, looking down on the Kansas City, Missouri Station;

WHEREAS, The physical condition of The Liberty Memorial is worsening with water seepage throughout the surface limestone and aggregate, deteriorated by cycles of freezing and thawing, has collected in the concrete support piers and rusted out the essential metal rods within those piers. The piers range in height from 12 feet on the south side to 40 feet on the north;

WHEREAS, Engineering estimates put the restoration cost at a considerable amount;

WHEREAS, The preservation of the Classic Monument, The Liberty Memorial, represents a major step in the march of freedom;

WHEREAS, President Calvin Coolidge dedicated The Liberty Memorial in 1926;

WHEREAS, U.S. General of the Armies, John J. Pershing born in Laclede, Missouri, said at the 1926 dedication, "This memorial .... symbolized the obligation that rests upon present and future generations to preserve that for which those men and women offered their all."; and

WHEREAS, the 1995 National Convention of the American legion, held in Indianapolis, Indiana, September 4-5-6, approved Resolution #91 (MO), which called for restoration of The Liberty Memorial:

NOW, THEREFORE, BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that the United States Congress is authorized and requested to appropriate the money necessary to restore The Liberty Memorial, the only National Memorial to our World War I veterans; and

BE IT FURTHER RESOLVED that the Secretary of the Senate is instructed to prepare properly inscribed copies of this resolution to be sent to the Missouri Congressional Delegation in Washington, D. C. and to The American Legion.

In which the concurrence of the House is respectfully requested.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1254 - Science, Technology and Critical Issues

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 4 - Agriculture

Seventeenth Day-Tuesday, January 30, 1996

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1218 - Municipal Corporations

HB 1219 - Ways and Means

HB 1239 - Retirement

HB 1243 - Municipal Corporations

HB 1249 - Retirement

HB 1282 - Public Health and Safety

COMMITTEE REPORT

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1014**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No.1

AMEND House Bill No. 1014, page 2, Section 14.040, Line 7, by inserting immediately after said section three new sections to read as follows:

"Section 14.042. To the Department of Natural Resources

For the Division of State Parks

For maintenance, repairs, replacements, and improvements to marina facilities at Pomme de Terre,

Stockton, and Truman state parks

From Parks Sales Tax Fund $992,335

Section 14.043. To the Department of Economic Development

For Departmental Administrative Services

For funding economic development activities but no general revenue funds shall be expended

until and unless the Department receives at least an equal amount of federal or private funds

From Missouri Technology Investment Fund $120,000

Section 14.044. To the Department of Economic Development

There is transferred out of the State Treasury, chargeable to the General Revenue Fund, One Hundred

Twenty Thousand Dollars ($120,000) to the Missouri Technology Investment Fund

From General Revenue Fund $120,000

and further amend said Bill, Page 5, Section 14.100, Line 5 by deleting from said line the figure "462,933" and inserting in lieu thereof the figure "477,933"

and further amend said Section, Line 6 by deleting from said line the figure "$484,683", and inserting in lieu thereof the figure "$499,683"

and further amend said Bill, Page 7, Section 14.180 by deleting said section and inserting in lieu thereof the following:

Section 14.180. To the House of Representatives

House Contingent Expenses

Leadership Aides and Secretaries $593,238
House Staff..... $321,666
From General Revenue Fund..... $914,904"

and further amend said Bill, Page 7, in the Bill Totals by deleting the figure "$26,454,842" and inserting in lieu thereof the figure "$26,749,842" and by deleting the figure "12,084,493" and inserting in lieu thereof the figure "13,091,828" and by deleting the figure "45,749,868"and inserting in lieu thereof the figure "47,052,203"

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 50, introduced by Representative Reynolds, relating to taxation.

INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills - Appropriations were read the first time and 1,000 copies ordered printed:

HB 1001, introduced by Representative Lumpe, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bond, Third State Building Bonds and Fourth State Building Bonds.

HB 1002, introduced by Representative Lumpe, to appropriate money for the expenses, grants, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof.

HB 1003, introduced by Representative Lumpe, to appropriate money for the expenses, grants, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein.

HB 1004, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Highways and Transportation, and the several divisions and programs thereof.

HB 1005, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds and distributions of the Office of Administration, and the several divisions and programs thereof.

HB 1006, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources and the Department of Conservation, and the several divisions and programs thereof.

HB 1007, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, and the Department of Labor and Industrial Relations, and the several divisions and programs thereof.

HB 1008, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof.

HB 1009, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof.

HB 1010, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health and the several divisions and programs thereof and the Missouri Health Facilities Review Committee.

HB 1011, introduced by Representative Lumpe, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof.

HB 1012, introduced by Representative Lumpe, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures.

HB 1013, introduced by Representative Lumpe, to appropriate money for real property leases and related services and utilities for the several departments of state government and the divisions and programs thereof.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1344, introduced by Representative Kreider, relating to certain new motor vehicle warranties.

HB 1345, introduced by Representative Backer, relating to the Midwest interstate compact on low-level radioactive waste.

HB 1346, introduced by Representative Van Zandt, et al, relating to the Kansas and Missouri Metropolitan Culture District Compact.

HB 1347, introduced by Representatives Hosmer and Backer, et al, relating to certain political activities.

HB 1348, introduced by Representative Naeger, relating to duties of coroners.

HB 1349, introduced by Representative Hartzler (124), et al, relating to motor vehicles.

HB 1350, introduced by Representatives Witt, Hosmer, May (108), Summers, Harlan, Smith, Clayton and Richardson, relating to the assessment, collection, disbursement and expenditure of moneys in judicial proceedings.

HB 1351, introduced by Representatives Kelley (47) and Long, et al, relating to income taxation.

HB 1352, introduced by Representative Dougherty, et al, relating to regulation and licensing of certain social workers.

HB 1353, introduced by Representative Dougherty, et al, relating to licensing of certain social workers.

HB 1354, introduced by Representatives Smith and Ostmann, relating to certain counselors.

HB 1355, introduced by Representative O'Toole, et al, relating to certain retirement plans.

HB 1356, introduced by Representative Bennett (15), et al, relating to highway patrol records.

HB 1357, introduced by Representatives Long and Hosmer, relating to arrests.

HB 1358, introduced by Representative Shelton (57), relating to compensation for St. Louis police.

HB 1359, introduced by Representative Green, relating to the disposition of state property.

HB 1360, introduced by Representative Green, relating to the public service commission.

HB 1361, introduced by Representatives Gibbons and Treadway, relating to judges' retirement.

HB 1362, introduced by Representative Evans, et al, relating to nursing facilities.

HB 1363, introduced by Representatives Mays (50) and Burton, et al, relating to utilities.

HB 1364, introduced by Representative Scheve, relating to higher education instructional quality.

HB 1365, introduced by Representative Lumpe, relating to the protection of privacy of certain personal information.

HB 1366, introduced by Representative May (108), relating to collective bargaining.

HB 1367, introduced by Representative May (108), relating to statutory liens on real estate.

HB 1368, introduced by Representative May (108), relating to unemployment compensation funds.

HB 1369, introduced by Representative Thomason (163), relating to motor vehicles.

HB 1370, introduced by Representative Loudon, et al, relating to imprisonment of repeat offenders.

HB 1371, introduced by Representatives Rizzo and Bonner, relating to tax increment financing.

COMMITTEE CHANGES
1996

The Speaker submitted the following Committee changes:

Representative Heckemeyer appointed a member of Elections Committee.

Representative Gratz appointed Chair of the special Travel Committee.

Representative Shelton (57) appointed a member of the special Travel Committee.

Representative Williams (121) appointed a member of the special Travel Committee.

Representative Alter appointed a member of the special Travel Committee.

Representative Hartzler (124) appointed a member of the special Travel Committee.

Representative Wible Murray (135) appointed a member of the Accounts, Operations and Finance Committee, but no longer a member of the Consumer Protection Committee.

Representative Wieland appointed a member of the Consumer Protection Committee.

Representative Farmer appointed a member of the Accounts, Operations and Finance Committee.

Representative Wiggins appointed a member of the Accounts, Operations and Finance

Committee.

The following member's presence was noted: O'Neill

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, January 31, 1996.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, January 31, 1996, 3:00 pm. Hearing Rooms 3 & 4. Amended notice.

Executive Session may follow

To be considered - HB 797, HB 1120, HB 1175, SB 671

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, January 31, 1996. Hearing Room 7 upon morning adjournment.

HB 1012 Judiciary Public Defender Mark-up

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Wednesday, January 31, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1004 Dept. of Hwys. & Transportation, HB 1012 Gen. Assembly

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 1, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1012 General Assembly

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, January 31, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 1, 1996. Hearing Room 5 upon adjournment. Dept. of Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 5, 1996, 12:00 pm. Hearing Room 5. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 6, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, January 31, 1996. Hearing Room 8 upon adjournment. HB 1006, HB 1007 mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 1, 1996. Hearing Room 8 upon adjournment. HB 1006, HB 1007 mark up.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996, 6:00 pm. Hearing Rooms 1 & 2.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services Cancelled

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, January 31, 1996. Hearing Rooms 1 & 2 fifteen minutes after adjournment to 2:45 pm.

HB 9 Dept. of Corrections, HB 11 Dept. of Social Services

Seventeenth Day-Tuesday, January 30, 1996

BUDGET

Thursday, February 1, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 801, HJR 45, HB 1177

CHILDREN, YOUTH, AND FAMILIES

Wednesday, January 31, 1996, 8:30 am. Hearing Room 1 & 2. Executive Session.

Immunization Bills and Maternity Stays

CIVIL AND CRIMINAL LAW

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 890, HB 780, HB 817, HB 1032, HB 803, HB 812

COMMERCE

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 9 Executive Session to follow

To be considered - HB 989, HB 1088, HB 1123, HB 1133

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 8. Amended Notice.

To be considered - HB 823, HB 830

EDUCATION - HIGHER

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 1138, HB 919, HB 918

ENERGY AND ENVIRONMENT

Thursday, February 1, 1996, 8:00 am. Hearing Room 8. Executive Session may follow

To be considered - HB 1103, HB 1260, HB 995

FEES AND SALARIES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 1. Amended Notice.

To be considered - Executive Session - HB 937, HB 1208

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, January 31, 1996, 8:00 am. Hearing Room 8. Executive Session to follow

To be considered - HJR 41, HB 878, HB 1029, HB 1156

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Wednesday, January 31, 1996, 2:00 pm. Senate West Gallery.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, January 31, 1996, 8:30 am. Hearing Room 7. Executive Session to follow

To be considered - HB 1058

MUNICIPAL CORPORATIONS

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 909, HB 1192, HB 1027

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, January 31, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 910, HB 914, HB 1000, HB 907, HB 955, HB 999

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 9.

To be considered - HB 1301, HB 1298

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 2. Executive Session may follow

To be considered - HB 777, HB 1041

TRANSPORTATION

Wednesday, January 31, 1996, 3:00 pm. Hearing Room 5 Executive Session to follow

To be considered - HB 1167, HB 1303

HOUSE CALENDAR

EIGHTEENTH DAY, WEDNESDAY, JANUARY 31, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 50

HOUSE BILLS FOR SECOND READING

HB 1344 through HB 1371

HOUSE BILLS FOR SECOND READING - APPROPRIATIONS

HB 1001 through HB 1013

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1014 - HCA 1 - Lumpe

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

EIGHTEENTH DAY, Wednesday, January 31, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Save this moment, O God of All that is, from being just a token gesture to custom and convention, and make it a real experience for each one of us in this place, as we pause to call upon you for guidance and help.

We acknowledge our shortcomings, our selfishness, our smugness and our pride. Forgive us when we come short of your will for us and for our state. Forgive us our forgetfulness of this state's needs and our contentment to accept things the way they are -- Give us the courage to make a difference where we can.

On this last day of the first month of a new year, may we look into the months ahead with renewed commitment to do our best and to remember that with You all things are possible. Help each of us to be a part of the solution instead of part of the problem.

Guide and direct and undergird each member of this House as they work to be faithful to You and to the people of the state of Missouri. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as printed by the following vote:

AYES: 158

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	
Montgomery				

Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Ford	Griffin	Ribaudo

VACANCY: 001

RESOLUTIONS

Representatives Gratz and Vogel offered House Resolution No. 199.

Representative Scheve offered House Resolution No. 200, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Garnett offered House Resolution No. 201, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hosmer offered House Resolution No. 202, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface, Marble and Bartelsmeyer offered House Resolution No. 203, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Whiteside offered House Resolution No. 204, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 205, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 206, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 207, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 208, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump offered House Resolution No. 209, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marble offered House Resolution No. 210, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 50 was read the second time.

SECOND READING OF HOUSE BILLS - APPROPRIATIONS

HB 1001 through **HB 1013** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1344 through **HB 1371** were read the second time.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1001 - Budget

HB 1002 - Budget

HB 1003 - Budget

HB 1004 - Budget

HB 1005 - Budget

HB 1006 - Budget

HB 1007 - Budget

HB 1008 - Budget

HB 1009 - Budget

HB 1010 - Budget

HB 1011 - Budget

HB 1012 - Budget

HB 1013 - Budget

COMMITTEE CHANGES
1996

The Speaker submitted the following Committee changes:

Representative Van Zandt appointed Vice-Chair of the Urban Affairs Committee.

Representative Klumb no longer a member of the Urban Affairs Committee.

The Speaker has re-appointed a special House Automation Committee as follows:

Representatives Thomason (163), Chair; Skaggs, Sears, Howerton and Wible- Murray.

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Pauley reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HOUSE RESOLUTIONS Nos. 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, and 210**, begs leave to report it has examined the same and recommends that they **Do Pass.**

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 846**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 51, introduced by Representative Farmer, et al, relating to natural resources.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1372, introduced by Representative Mays (50), relating to the funding of the Missouri utilicare and related energy assistance programs.

HB 1373, introduced by Representatives Bland and Gunn, et al, relating to scholarships to increase minority student enrollment in environmentally related courses of study.

HB 1374, introduced by Representative Scheve, relating to the taxation of certain financial institutions.

HB 1375, introduced by Representatives Secrest and Gratz, et al, relating to administrative procedure.

HB 1376, introduced by Representatives McClelland and Pryor, et al, relating to special education due-process hearings.

HB 1377, introduced by Representative Bland, et al, relating to certain health care providers.

HB 1378, introduced by Representative Farmer, et al, relating to the uniform common interest ownership act.

HB 1379, introduced by Representatives Gross and Lumpe, et al, relating to certain operations of government.

HB 1380, introduced by Representative Lumpe, relating to the expiration date for the nursing facility reimbursement allowance.

HB 1381, introduced by Representative Kelley (47), et al, relating to trial procedure.

HB 1382, introduced by Representative Kelley (47), et al, relating to trial proceedings before and after trial.

HB 1383, introduced by Representative Kelley (47), et al, relating to joint and several liability.

HB 1384, introduced by Representative Kelley (47), et al, relating to the statute of limitation for certain actions.

HB 1385, introduced by Representative Kelley (47), et al, relating to civil procedures and limitations.

HB 1386, introduced by Representative Kelley (47), et al, relating to damages arising from certain drugs.

HB 1387, introduced by Representative Kelley (47), et al, relating to admissibility of certain evidence.

HB 1388, introduced by Representative Kelley (47), et al, relating to interest on certain judgments.

HB 1389, introduced by Representative Kelley (47), et al, relating to the courts of this state.

HB 1390, introduced by Representative Kelley (47), et al, relating to evidence.

HB 1391, introduced by Representative Kelley (47), et al, relating to torts.

HB 1392, introduced by Representative Dougherty, relating to domestic violence.

HB 1393, introduced by Representatives Kissell and Murray (69), et al, relating to criminal procedure.

HB 1394, introduced by Representative O'Toole, et al, relating to telecommunications.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 629**, entitled:

An Act to repeal section 544.665, RSMo 1994 and sections 304.009 and 304.010, RSMo Sup. 1995, relating to the operation of motor vehicles and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions and an emergency clause.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 687**, entitled:

An Act to repeal sections 162.855, 162.860, 162.865, 162,870 and 162.910, RSMo 1994, relating special school districts, and to enact eleven new sections relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 521**, entitled:

An Act to repeal sections 274.030, 274.220 and 274.230, RSMo 1994, relating to cooperatives, and to enact four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 540**, entitled:

An Act to repeal sections 31.040, 192.010, 199.010, 199.020, 199.025, 199.037, 199.210, 199.230, 199.240, 199.250, and 199.260, RSMo 1994, and sections 31.010 and 199.029, RSMo Supp. 1995, relating to the Missouri rehabilitation center, and to enact in lieu thereof twenty new sections relating to the same subject, with a contingent termination date for certain sections and an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Eighteenth Day-Wednesday, January 31, 1996

WITHDRAWAL OF HOUSE BILLS

January 30, 1996

Mr. Doug Burnett

Chief Clerk

House Post Office

Jefferson City, MO 65101

Dear Doug,

Please accept this letter for a withdrawn bill, **HB 1216**. As of January 29th this bill had not been assigned to a committee. New information has come about regarding this bill so it will be much easier to just start over fresh.

Thank you.

Respectfully submitted,

/s/ Dale Whiteside

January 30, 1996

Mr. Doug Burnett

Chief Clerk

House Post Office

Jefferson City, MO 65101

Dear Doug,

Please accept this letter for a withdrawn bill, **HB 884**. This bill was referred to the Tourism, Recreation & Cultural Affairs Committee and I will also forward a letter to the Chairman, Francis Overschmidt. Thank you.

Respectfully submitted,

/s/ Dale Whiteside

January 31, 1996

Doug Burnett

Chief Clerk

Missouri House of Representatives

Capitol Building

Jefferson City, MO 65101

Dear Mr. Burnett:

I respectfully request that House Bill 1324 be withdrawn.

Thank you for your consideration of my request.

Respectfully submitted,

/s/ Mary Groves Bland

January 31, 1996

Doug Burnett

Chief Clerk

Missouri House of Representatives

Capitol Building

Jefferson City, MO 65101

Dear Doug:

I respectfully request that House Bill 896, be withdrawn.

Thank you for your consideration of my request.

Respectfully submitted,

/s/ S. Sue Shear

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 1, 1996.

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, February 5, 1996, 1:00 pm. Hearing Room 7 Mark-up.

To be considered - HB 1003, HB 1008

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 6, 1996. Hearing Room 7 upon adjournment. Mark-up.

To be considered - HB 1008, HB 1002

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 7, 1996. Hearing Room 7 upon adjournment. Mark-up.

Possible Executive Session

To be considered - HB 1002

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 1, 1996. Hearing Room 9 fifteen minutes after adjournment.

HB 1012 General Assembly Cancelled

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 1, 1996. Hearing Room 5 upon adjournment.

Dept. of Health mark-up. CANCELLED

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 5, 1996, 12:00 pm. Hearing Room 5.

Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 6, 1996. Hearing Room 5 upon adjournment.

Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 1996. Hearing Room 5 upon adjournment.

Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment.

Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 1, 1996. Hearing Room 8 upon adjournment.

HB 1006, HB 1007 mark up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 5, 1996, 1:00 pm. Hearing room 8. Mark-up.

To be considered - HB 1006, HB 1007

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 1996. Hearing Room 8 upon adjournment. Mark-up.

To be considered - HB 1006, HB 1007

BUDGET

Thursday, February 1, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 801, HJR 45, HB 1177

CHILDREN, YOUTH, AND FAMILIES

Thursday, February 1, 1996. Hearing Rooms 1 & 2 upon adjournment.

Cancelled

To be considered - HB 1109, HB 1250

ENERGY AND ENVIRONMENT

Thursday, February 1, 1996, 8:00 am. Hearing Room 8.

Executive Session May Follow

To be considered - HB 1103, HB 1260, HB 995

HOUSE AUTOMATION COMMITTEE

Monday, February 5, 1996, 1:30 pm. Hearing Rooms 3 & 4.

PUBLIC HEALTH AND SAFETY

Thursday, February 1, 1996. Side Gallery upon adjournment.

To be considered - Executive Session - HB 806, Executive Session - HB 831,

Executive Session - HB 854, Executive Session - HB 859,

Executive Session - HB 861

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 5, 1996, 8:00 pm. Hearing Room 9

Executive Session to Follow

To be considered - HB 866, HB 1279, HB 1244, HB 1129

HOUSE CALENDAR

NINETEENTH DAY, THURSDAY, FEBRUARY 1, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 51

HOUSE BILLS FOR SECOND READING

HB 1382 through HB 1394

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1014 - HCA 1 - Lumpe

HOUSE BILL FOR PERFECTION - CONSENT

(February 1, 1996)

HB 846 - Koller

SENATE BILLS FOR SECOND READING

SS SB 521

SCS SB 540

SB 629

SS SB 687

COURTESY RESOLUTIONS

HR 139 - Gross

HR 140 - Gross

HR 141 - Gross

HR 142 - Ostmann

HR 143 - Clayton

HR 144 - Clayton

HR 145 - Gratz

HR 146 - Foster

HR 147 - Leake

HR 148 - Mitchell

HR 149 - Sears

HR 150 - Sears

HR 151 - Barnes

HR 152 - Gaw

HR 153 - Morgan

HR 154 - Hosmer

HR 155 - Gaw

HR 156 - Gaw

HR 157 - Gaw

HR 158 - Gaw

HR 159 - Gaw

HR 160 - Leake

HR 161 - Howerton

HR 162 - Howerton

HR 163 - Howerton

HR 164 - Howerton

HR 165 - Pauley

HR 166 - Green

HR 167 - Boatright

HR 168 - Cierpiot

HR 169 - Fiebelman

HR 170 - Auer

HR 171 - Thomason (163)

HR 172 - May (108)

HR 173 - Surface

HR 174 - Surface

HR 175 - Clayton

HR 176 - Williams (121)

HR 177 - Williams (121)

HR 178 - Williams (121)

HR 179 - Williams (121)

HR 180 - Williams (121)

HR 181 - Williams (121)

HR 182 - Mitchell

HR 183 - Ross

HR 184 - Ross

HR 185 - Ross

HR 186 - Williams (121)

HR 187 - Williams (121)

HR 188 - Williams (121)

HR 189 - Williams (121)

HR 190 - Williams (121)

HR 191 - Williams (121)

HR 192 - Williams (121)

HR 193 - Williams (121)

HR 194 - Williams (121)

HR 195 - Williams (121)

HR 196 - Williams (121)

HR 197 - Williams (121)

HR 198 - Tatum-Brown

HR 200 - Scheve

HR 201 - Garnett

HR 202 - Hosmer

HR 203 - Surface

HR 204 - Whiteside

HR 205 - McClelland

HR 206 - Backer

HR 207 - Backer

HR 208 - Vogel

HR 209 - Crump

HR 210 - Marble

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

NINETEENTH DAY, Thursday, February 1, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

On this day, O Lord, deliver us from the foolishness of impatience. We know that it takes a lifetime to make a tree -- and we know that government sometimes takes longer. Help us remember that it takes time to make things happen, yet let us not stand idly by, assuming that we have no control over the circumstances in which we find ourselves.

It takes time to work out agreements. It takes time to bring about equity. It takes time to find out what we should do; what is right, and what is best.

Don't let us hurry past one another in our rush to be the best or the first or the greatest or the most popular in the polls. Let us take time to think and to pray and to discern your will.

Then, O Lord, give us the sense and the courage to do what needs doing, keeping in mind the good of the many rather than the desires of the few. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the eighteenth day was approved as printed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Legan	Levin	Liese	Linton	Lograsso
Long 26	Luetkenhaus	Lumpe	Marble	Marshall
Marshall 133	May 108	Mays 50	McBride	McClelland

McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Ford	Leake	Loudon	O'Connor
Ribaudo	Treadway			

VACANCY: 002

RESOLUTIONS

Representative Gaw, joined by the entire House, offered House Resolution No. 211, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Whiteside offered House Resolution No. 212, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Prost offered House Resolution No. 213, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Davis offered House Resolution No. 214, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Morgan offered House Resolution No. 215, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hosmer offered House Resolution No. 216, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wooten offered House Resolution No. 217, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Whiteside offered House Resolution No. 218, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stokan offered House Resolution No. 219, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 220, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 221, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 222, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 223, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 224, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McLuckie offered House Resolution No. 225, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dougherty offered House Resolution No. 226.

Representative Scott offered House Resolution No. 227, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 228, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 139 through 198 and House Resolution Nos. 200 through 210 were taken up.

On motion of Representative Backer, House Resolution Nos. 139 through 198 and House Resolution Nos. 200 through 210 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 51 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1372 through **HB 1394** were read the second time.

SECOND READING OF SENATE BILLS

SS SB 521, SCS SB 540, **SB 629, SS SB 687** were read the second time.

PERFECTION OF HOUSE BILL

HB 1014, with House Committee Amendment No. 1, relating to appropriations, was taken up by Representative Lumpe.

Representative Donovan offered House Amendment No. 1 to House Committee Amendment No. 1.

House Amendment No. 1
to House Committee Amendment No. 1

AMEND House Committee Amendment No. 1 to House Bill No. 1014, page 7, section 14.180, line 4, by adding the sum $48,500 to section 14.180

Representative Donovan moved that House Amendment No. 1 to House Committee Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Lumpe, House Committee Amendment No. 1 was adopted.

Representative Naeger offered House Amendment No. 1.

Representative Childers raised a point of order that House Amendment No. 1 cannot be added to the Governor's Supplemental Budget.

The Chair ruled according to Article IV, Section 25, that the point of order was well taken.

Representative Cooper offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1014, page 3, section 14.055, line 1, by deleting said section.

Representative Cooper moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 039

Akin	Ballard	Barnett 4	Bartelsmeyer	Boatright
Cooper	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Hall	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Linton	Lograsso
Long	Loudon	Marble	Marshall 26	Marshall 133
Murphy	Naeger	Nordwald	Pouche	Pryor
Richardson	Sallee	Schwab	Scott	Shields
Steen	Summers	Wieland	Wooten	

NOES: 105

Alter	Backer	Bennett 15	Bland	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Legan	Levin	Luetkenhaus	Lumpe
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Reynolds	Rizzo	Robirds	Ross
Scheve	Schilling	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Sombart
Stokan	Stoll	Surface	Thomason 163	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

PRESENT: 001

Tate

ABSENT WITH LEAVE: 016

Auer	Barnes	Elliott	Ford	Garnett
Goward	Hand	Keeven	Leake	Liese
O'Connor	Prost	Ribaudo	Ridgeway	Thompson 37

Treadway

VACANCY: 002

On motion of Representative Lumpe, **HB 1014, as amended,** was ordered perfected and printed.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 687 - Education - Elementary and Secondary

COMMITTEE REPORTS

Committee on Agriculture, Chairman Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 671**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth & Families, to which was referred **HB 1069, HB 794, HB 807, HB 936, HB 1128, HB 1153 and HB 1202**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Children, Youth & Families, to which was referred **HB 904, HB 788 and HB 966**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HJR 40**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 905**, begs leave to report it has examined the same and recommends that it Do Pass with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND House Bill 905, page 1, Section 617.001, line 13, by inserting the following immediately after said line:

617.002. Definitions - The following terms, whenever used in chapter 617 mean:

(1) "Department of Aging", the state agency primarily charged with administering and coordinating programs relating to older persons;

(2) "Division of Family Services". the division within the Department of Social Services primarily charged with determining eligibility for state or federally funded medical assistance;

(3) "Division of Medical Services", the division within the Department of Social Services primarily charged with determining coverage and payment for state or federally funded medical assistance;

(4) "Older person", individuals sixty years of age or older.

AND FURTHER AMEND HB 905, Page 2, Section 617.007, line 4, by inserting the following immediately after said line:

617.009.1. The department of aging, the department of social services, the department of health, and the department of mental health shall develop a unified service delivery system which includes but is not limited to a single application form to be used by these same state departments for programs meeting older persons' medical and health needs;

2. The application form and any subsequent unified service delivery mechanism shall be used by the department of aging, the department of social services, the department of health, and the department of mental health in order to provide a single point of entry for serving the medical and health needs of older persons;

3. The department of aging, the department of social services, the department of health, the department of mental health, the division of family services, and the division of medical services shall develop agreements and protocols for sharing application forms and information, and for insuring the timely processing of all applications by the appropriate agency.

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and 1,000 copies ordered printed:

HJR 52, introduced by Representatives Lumpe and Gunn, et al, relating to certain sales taxes.

HJR 53, introduced by Representative Tate, et al, relating to the department of natural resources.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1395, introduced by Representative Lakin, relating to fraudulent insurance acts.

HB 1396, introduced by Representative Cooper, relating to exemptions from the state sales and use tax.

HB 1397, introduced by Representatives Ridgeway and Lograsso, relating to venue in certain criminal cases.

HB 1398, introduced by Representative Hagan-Harrell, relating to the public school retirement system.

HB 1399, introduced by Representative Leake, et al, relating to automobile glass repair and replacement services.

HB 1400, introduced by Representative Lumpe, relating to the health plan for state employees.

HB 1401, introduced by Representative Shields, relating to certain expenditures of public funds.

HB 1402, introduced by Representative Williams (121), et al, relating to expanding the time period for construction and licensing of certain residential care facilities.

HB 1403, introduced by Representative Dougherty, et al, relating to domestic relations.

HB 1404, introduced by Representative O'Toole, et al, relating to firemen's retirement and relief systems in certain cities.

HB 1405, introduced by Representative Ostmann, et al, relating to mental health treatment.

HB 1406, introduced by Representative Bray, et al, relating to certain medical procedures.

HB 1407, introduced by Representative Donovan, relating to motor vehicles.

HB 1408, introduced by Representatives Leake and Wiggins, relating to concentrated animal feeding

operations.

HB 1409, introduced by Representative Whiteside, relating to intensive agriculture.

HB 1410, introduced by Representative Luetkenhaus, relating to housing.

HB 1411, introduced by Representative Louden, relating to motor vehicle license plates.

HB 1412, introduced by Representative Froelker, relating to hearings on municipal ordinances.

HB 1413, introduced by Representative Treadway, relating to off-track pari-mutel wagering.

HB 1414, introduced by Representatives Smith and Scheve, et al, relating to the establishment of an optional retirement program for certain employees of the regional colleges and universities.

HB 1415, introduced by Representative Carter, relating to the disposition of evidence.

HB 1416, introduced by Representatives Kelley (47), Kasten and Scott, et al, relating to transitioning people from welfare to work.

WITHDRAWAL OF HOUSE BILL

February 1, 1996

The Honorable Steve Gaw, Speaker

Missouri House of Representatives

State Capitol

Jefferson City, MO 65101

Dear Steve:

I would like to withdraw **House Bill 1392**, relating to domestic violence.

Thank you.

Respectfully submitted,

/s/ Patrick Dougherty

The following members' presence were noted: Leake and Treadway.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 5, 1996.

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, February 5, 1996, 8:00 pm. Hearing Room 8. Executive Session may follow

To be considered - HB 1256, HB 1099, HB 1204

AGRICULTURE

Wednesday, February 7, 1996, 7:30 pm. Hearing Room 9.

To be considered - HB 810, HB 1288, HB 1207

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Monday, February 5, 1996, 1:00 pm. Hearing Room 7. Mark-up.

To be considered - HB 1003, HB 1008

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 6, 1996. Hearing Room 7 upon adjournment. Mark-up.

To be considered - HB 1008, HB 1002

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 7, 1996. Hearing Room 7 upon adjournment. Mark-up.

Possible Executive Session

To be considered - HB 1002

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Monday, February 5, 1996, 1:00 pm. Hearing Room 9. Mark-up.

To be considered - HB 1001, HB 1005

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Tuesday, February 6, 1996. Hearing Room 9 fifteen minutes after adjournment. Mark-up

To be considered - HB 1005, HB 1004, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Wednesday, February 7, 1996. Hearing Room 9 fifteen minutes after adjournment. Mark-up.

St. Louis Sports Authority

To be considered - HB 1004, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 8, 1996. Hearing Room 9 fifteen minutes after adjournment if needed. Mark-up

To be considered - HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Monday, February 5, 1996, 12:00 pm. Hearing Room 5. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 6, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Monday, February 5, 1996, 1:00 pm. Hearing room 8. Mark-up.

To be considered - HB 1006, HB 1007

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 1996. Hearing Room 8 upon adjournment. Mark-up.

To be considered - HB 1006, HB 1007

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Monday, February 5, 1996, 1:00 pm. Hearing Rooms 1 & 2. Mark-up.

To be considered - HB 1011

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 6, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 7, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 7, 1996, 8:00 am. Hearing Rooms 1 & 2.

To be considered - HB 1109, HB 1250

CIVIL AND CRIMINAL LAW

Wednesday, February 7, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 1094, HB 932, HB 894, HB 901, HB 939, HB 1165

CIVIL AND CRIMINAL LAW

Wednesday, February 7, 1996. Side gallery upon adjournment. Executive Session

EDUCATION - HIGHER

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 8. Executive Session to follow.

To be considered - HB 857, HB 860, HB 1166

ELECTIONS

Tuesday, February 6, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow. Corrected Notice

To be considered - HB 778, HB 867

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 5, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1161, HB 1131, Executive Session - HB 1115

FEES AND SALARIES

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 1. Executive Session will follow.

To be considered - HB 1180

HOUSE AUTOMATION AND INTERNET COMMITTEE

Monday, February 5, 1996, 1:30 pm. Hearing Rooms 3 & 4.

INSURANCE

Tuesday, February 6, 1996, 8:00 am. Hearing Room 8.

To be considered - Executive Session - HB 844, Executive Session -

HB 1059, HB 1220, HB 1087, HB 1119, HB 1060, HB 1062, HB 1074

JUDICIARY AND ETHICS

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 5. Bootheel Caucus.

Amended Notice

To be considered - HB 1251, HB 774, HB 869, HJR 48, HB 1228, HB 1241, HB 1302

LABOR

Tuesday, February 6, 1996, 8:00 pm. Hearing Room 8. Executive Session.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 3. Executive Session.

To be considered - HB 1300, HB 1221, HB 1278, HB 1277, HB 1297, HB 1083, HB 1186

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 7. Executive Session to follow.

To be considered - HB 942, HB 948, HB 984, HB 986, HB 998

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, February 5, 1996, 8:00 pm. Hearing Room 7. Executive Session to follow. Corrected Notice

To be considered - HB 1146, HB 1271, HB 1169, HB 1253, HB 1254

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 6, 1996, 8:00 pm. Hearing Room 5, Executive Session to follow.

To be considered - HB 1217

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Monday, February 5, 1996, 2:00 pm. Senate Committee Room 1. Contested Fiscal Notes.

To be considered - HB 782, HB 1069, HB 903

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, February 5, 1996, 8:00 pm. Hearing Room 9. Executive Session to follow.

To be considered - HB 866, HB 1279, HB 1244, HB 1129

HOUSE CALENDAR

TWENTIETH DAY, MONDAY, FEBRUARY 5, 1996

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 52 and HJR 53

HOUSE BILLS FOR SECOND READING

HB 1395 through HB 1416

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Rizzo

HOUSE BILLS FOR PERFECTION

HB 905, HCA 1 - Rizzo

HCS HB 904,788 & 966 - Lakin

HCS HB 1069,794,807,936,1128,1153,1202 - Kelly (27)

HOUSE BILL FOR PERFECTION - CONSENT

(February 1, 1996)

HB 846 - Koller

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HB 1014 - Lumpe

SENATE BILL FOR THIRD READING

SB 671, E.C. - Wiggins

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House Journal

Second Regular Session, 88th General Assembly

TWENTIETH DAY, Monday, February 5, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Love does not come to an end." (I Cor. 13:4)

This is the month we dedicate to the heart. We pray today for our fellow-citizens here and around the nation who suffer most intensely in body and suffer losses in property, livestock and crops from this cold.

We pray, God of Love, for our own hearts to be open to the hurts of others, the local personal issues, as well as the big national and global ones. We pray for all those whom we love and who love us, that we can do what needs to be done to deepen and strengthen those bonds. We pray for healing for those relationships which are strained, for forgiveness for those which have soured. We ask a special blessing on those wonderful people who radiate love and kindness every day in all circumstances to brighten our lives. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Stephanie Jones, Capreece Kerr, Elizabeth Roberts and Jessica Vargas.

The Journal of the nineteenth day was approved as printed.

RESOLUTIONS

Representative Marshall (26) offered House Resolution No. 229, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 230, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 231, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bray offered House Resolution No. 232, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Chrismer offered House Resolution No. 233, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hohulin offered House Resolution No. 234, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thomason (163) offered House Resolution No. 235, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ross and Lograsso offered House Resolution No. 236, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 237, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Thompson (37) offered House Concurrent Resolution No. 5.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 52 through **HJR 53** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1395 through **HB 1416** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1014**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL

HB 1014, relating to appropriations, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **HB 1014** was read the third time and passed by the following vote:

AYES: 141

Alter	Auer	Backer	Barnett 4	Bennett 15
Bland	Boatright	Bonner	Boucher	Bray
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Elliott	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	May 108
Mays 50	McClelland	McLuckie	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 012

Akin	Ballard	Bartelsmeyer	Edwards-Pavia	Evans
Froelker	Gaskill	Hall	Hohulin	Linton
Loudon	Marshall 133			

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Ford	Gunn	Hoppe	McBride
Mitchell	Ribaudo	Ridgeway		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Fiebelman, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

SB 671, relating to drainage and levee districts, was taken up by Representative Wiggins.

On motion of Representative Wiggins, **SB 671** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

O'Connor

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Gunn	Hoppe	Ribaudo	Ridgeway

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

Twentieth Day-Monday, February 5, 1996

NOES: 006

Evans	Foley	Hendrickson	Hohulin	Lograsso
O'Connor				

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Bartelsmeyer	Crump 152	Gunn	Hoppe
Ribaudo	Ridgeway			

VACANCY: 002

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Copeland moved that the vote by which the bill passed be reconsidered.

Representative Crum (112) moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 49 - Budget

HJR 50 - Ways and Means

HJR 51 - State Parks, Recreation and Natural Resources

HJR 52 - State Parks, Recreation and Natural Resources

HJR 53 - State Parks, Recreation and Natural Resources

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1305 - Agriculture

HB 1306 - Professional Registration and Licensing

HB 1307 - Civil and Criminal Law

HB 1308 - Civil and Criminal Law

HB 1309 - Motor Vehicle and Traffic Regulations

HB 1310 - Education - Elementary and Secondary

HB 1311 - Consumer Protection

HB 1312 - Budget

HB 1313 - Workers' Compensation and Employment Security

HB 1314 - Judiciary and Ethics

HB 1315 - Motor Vehicle and Traffic Regulations

HB 1316 - Children, Youth and Families

HB 1317 - Public Health and Safety

HB 1318 - Agriculture

HB 1319 - Energy and Environment

HB 1320 - Children, Youth and Families

HB 1321 - Children, Youth and Families

HB 1322 - Insurance

HB 1323 - Insurance

HB 1325 - Agriculture

HB 1326 - Public Health and Safety

HB 1327 - Social Services, Medicaid and the Elderly

HB 1328 - Elections

HB 1329 - Judiciary and Ethics

HB 1330 - Local Government and Related Matters

HB 1331 - Civil and Criminal Law

HB 1332 - Civil and Criminal Law

HB 1333 - Governmental Organization and Review

HB 1334 - Elections

HB 1335 - Elections

HB 1336 - Education - Elementary and Secondary

HB 1337 - Education - Elementary and Secondary

HB 1338 - Local Government and Related Matters

HB 1339 - Retirement

HB 1340 - Governmental Organization and Review

HB 1341 - Motor Vehicle and Traffic Regulations

HB 1342 - Ways and Means

HB 1343 - Education - Elementary and Secondary

HB 1344 - Consumer Protection

HB 1345 - Energy and Environment

HB 1346 - Local Government and Related Matters

HB 1347 - Labor

HB 1348 - Science, Technology and Critical Issues

HB 1349 - Motor Vehicle and Traffic Regulations

HB 1350 - Judiciary and Ethics

HB 1351 - Ways and Means

HB 1352 - Professional Registration and Licensing

HB 1353 - Professional Registration and Licensing

HB 1354 - Professional Registration and Licensing

HB 1355 - Retirement

HB 1356 - Fees and Salaries

HB 1357 - Civil and Criminal Law

HB 1358 - Municipal Corporations

HB 1359 - Correctional and State Institutions

HB 1360 - Judiciary and Ethics

HB 1361 - Judiciary and Ethics

HB 1362 - Social Services, Medicaid and the Elderly

HB 1363 - Consumer Protection

HB 1364 - Education - Higher

HB 1365 - Judiciary and Ethics

HB 1366 - Labor

HB 1367 - Judiciary and Ethics

HB 1368 - Workers' Compensation and Employment Security

HB 1369 - Motor Vehicle and Traffic Regulations

HB 1370 - Civil and Criminal Law

HB 1371 - Commerce

HB 1372 - Social Services, Medicaid and the Elderly

HB 1373 - Education - Higher

HB 1374 - Commerce

HB 1375 - Judiciary and Ethics

HB 1376 - Education - Elementary and Secondary

HB 1377 - Public Health and Safety

HB 1378 - Judiciary and Ethics

HB 1379 - Miscellaneous Bills and Resolutions

HB 1380 - Budget

HB 1381 - Judiciary and Ethics

HB 1382 - Judiciary and Ethics

HB 1383 - Judiciary and Ethics

HB 1384 - Judiciary and Ethics

HB 1385 - Judiciary and Ethics

HB 1386 - Judiciary and Ethics

HB 1387 - Judiciary and Ethics

HB 1388 - Judiciary and Ethics

HB 1389 - Judiciary and Ethics

HB 1390 - Judiciary and Ethics

HB 1391 - Judiciary and Ethics

HB 1393 - Civil and Criminal Law

HB 1394 - Consumer Protection

HB 1395 - Insurance

HB 1396 - Ways and Means

HB 1397 - Civil and Criminal Law

HB 1398 - Retirement

HB 1399 - Motor Vehicle and Traffic Regulations

HB 1400 - Budget

HB 1401 - Elections

HB 1402 - Social Services, Medicaid and the Elderly

HB 1403 - Children, Youth and Families

HB 1404 - Retirement

HB 1405 - Public Health and Safety

HB 1406 - Judiciary and Ethics

HB 1407 - Transportation

HB 1408 - Agriculture

HB 1409 - Agriculture

HB 1410 - Urban Affairs

HB 1411 - Motor Vehicle and Traffic Regulations

HB 1412 - Judiciary and Ethics

HB 1413 - Ways and Means

HB 1414 - Education - Higher

HB 1415 - Civil and Criminal Law

HB 1416 - Social Services, Medicaid and the Elderly

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 54, introduced by Representative Reynolds, relating to natural resources .

INTRODUCTION OF HOUSE BILLS

HB 1417, introduced by Representative Bennett, relating to members of the general assembly.

HB 1418, introduced by Representative Crump, relating to the division of tourism.

HB 1419, introduced by Representative Backer, relating to the conveyance of certain real property of the state of Missouri located in Callaway County.

HB 1420, introduced by Representative Sears, relating to assessment procedures for certain agricultural land.

HB 1421, introduced by Representative Thompson (37), et al, relating to certain holidays.

COMMITTEE CHANGES
1996

Representative Donovan appointed a member of the Children, Youth and Families Committee.

Representative Ostmann, no longer a member of the Children, Youth and Families Committee.

Representative Ostmann appointed a member of the Governmental Organization and Review Committee.

Representative Shields, no longer a member of the Governmental Organization and Review Committee.

Twentieth Day-Monday, February 5, 1996

LETTER OF RESIGNATION

February 2, 1996

The Honorable Steve Gaw

Speaker

Missouri House of Representatives

Dear Mr. Speaker:

Please accept my resignation from the Missouri House of Representatives effective February 29, 1996.

Respectfully submitted,

/s/ James A. Barnes

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 6, 1996.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 7, 1996, 7:30 pm. Hearing Room 9. Amended Notice.

To be considered - HB 810, HB 1288, HB 1207, HB 1408, HB 1409

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Tuesday, February 6, 1996. Hearing Room 7 upon adjournment. Mark-up.

To be considered - HB 1008, HB 1002

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 7, 1996. Hearing Room 7 upon adjournment. Mark-up.

Possible Executive Session

To be considered - HB 1002

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Tuesday, February 6, 1996. Hearing Room 9 fifteen minutes after adjournment. Mark-up

To be considered - HB 1005, HB 1004, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Wednesday, February 7, 1996. Hearing Room 9 fifteen minutes after adjournment. Mark-up.

St. Louis Sports Authority

To be considered - HB 1004, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 8, 1996. Hearing Room 9 fifteen minutes after adjournment if needed. Mark-up

To be considered - HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 6, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Tuesday, February 6, 1996. Hearing Room 8 upon adjournment. Mark-up.

To be considered - HB 1006, HB 1007

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 6, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 7, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 7, 1996, 8:00 am. Hearing Rooms 1 & 2. Corrected Notice.

To be considered - HB 1109, HB 1250, HB 1320

CIVIL AND CRIMINAL LAW

Wednesday, February 7, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 1094, HB 932, HB 894, HB 901, HB 939, HB 1165

CIVIL AND CRIMINAL LAW

Wednesday, February 7, 1996. Side gallery upon adjournment. Executive Session

CONSUMER PROTECTION

Tuesday, February 6, 1996, 8:00 pm. Hearing Rooms 1 & 2.

To be considered - HB 1363

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 6, 1996, 8:00 pm. Hearing Room 9. Executive Session.

To be considered - HB 974, HB 776

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 8. Executive Session to follow.

To be considered - HB 968, HB 871, HB 1124, HB 1211, HB 1235, HB 1225,

HB 1337

EDUCATION - HIGHER

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 8. Executive Session to follow.

To be considered - HB 857, HB 860, HB 1166

ELECTIONS

Tuesday, February 6, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow. Corrected Notice

To be considered - HB 778, HB 867

FEES AND SALARIES

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 1. Executive Session will follow.

Amended Notice

To be considered - HB 1180, HB 1290

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 7, 1996, 8:00 am. Hearing Room 8. Executive session to follow.

To be considered - HB 1145, HB 994, HB 835

INSURANCE

Tuesday, February 6, 1996, 8:00 am. Hearing Room 8.

To be considered - Executive Session - HB 844, Executive Session -

HB 1059, HB 1220, HB 1087, HB 1119, HB 1060, HB 1062, HB 1074

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS

Wednesday, February 7, 1996, 3:00 pm. Senate Hearing Rooms 2 & 3.

Facilities Management, Leasing Division Review of Expiring Leases FY97

JUDICIARY AND ETHICS

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 5. Bootheel Caucus. Amended Notice

To be considered - HB 1251, HB 774, HB 869, HJR 48, HB 1228, HB 1241, HB 1302

LABOR

Tuesday, February 6, 1996, 8:00 pm. Hearing Room 8. Executive Session.

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 3. Executive Session.

To be considered - HB 1300, HB 1221, HB 1278, HB 1277, HB 1297, HB 1083, HB 1186

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 7. Executive Session to follow.

Amended Notice

To be considered - HB 948, HB 984, HB 986, HB 998, HB 1067

MUNICIPAL CORPORATIONS

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 7. Revised Notice.

To be considered - HB 1233, HB 1218, HB 1243, HB 1358

PUBLIC HEALTH AND SAFETY

Tuesday, February 6, 1996, 3:00 pm. Hearing Room 9. Amended Notice.

To be considered - HB 1084, HB 1121, HB 1282, HB 1377

RETIREMENT

Wednesday, February 7, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1114, HB 1249, HB 1239

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 6, 1996, 8:00 pm. Hearing Room 5. Executive Session to follow. Amended Notice

To be considered - HB 1217, HB 1402

TRANSPORTATION

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 5. Executive Session to follow.

To be considered - HB 1112, HB 1252

TRAVEL COMMITTEE

Wednesday, February 7, 1996, 9:00 am. Hearing Room 4.

WAYS AND MEANS

Tuesday, February 6, 1996, 3:00 pm. Hearing Rooms 1 & 2. Executive Session to follow.

To be considered - HB 1240, HB 978, HB 1038, HB 1045, HB 1150, HB 1149, HB 1179, HB 1159

HOUSE CALENDAR

TWENTY-FIRST DAY, TUESDAY, FEBRUARY 6, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 54

HOUSE BILLS FOR SECOND READING

HB 1417 through HB 1421

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Rizzo

HOUSE BILLS FOR PERFECTION

HB 905, HCA 1 - Rizzo

HCS HB 904, 788 & 966 - Lakin

HCS HB 1069, 794, 807, 936, 1128, 1153, 1202 - Kelly (27)

HOUSE BILL FOR PERFECTION - CONSENT

(February 1, 1996)

HB 846 - Koller

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

TWENTY-FIRST DAY, Tuesday, February 6, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Moses prayed for the people and God answered him." (Num. 21:8).

Prayer in the Legislature in Topeka, Kansas, came into the lime light again recently. A visiting chaplain antagonized many people with several elements in his prayer and some were offended by his praying in Jesus' Name.

Today, gracious God, we pray for a sensitive spirit as we pray in public places. We pray in assemblies like this for diverse people of different faiths, or no formal faith experience, and several denominations within the dominant Christian faith. Help us to realize that the basic values and concepts of our religious traditions and our religious heritage can be expressed in ways that will offend no one except the atheist.

Eternal God, we acknowledge today that prayer must challenge us and it may make us squirm, but it must not offend in an insensitive way. We must not let the prayer be held captive to an ideology, but neither must we let the prayer be so vague that it does not move us to search more deeply and allow our views to be changed. The commandments as recorded in the Hebrew Scriptures forbid making false gods. We pray today to be kept from making an idol of our own ideology, our own party, or our own belief system which shuts out the viewpoint of others and does not allow for reasonable challenges and loving sensitivity in a pluralistic culture. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adam Robert Schemenauer and Joshua Ryan Anders.

The Journal of the twentieth day was approved as corrected by the following vote:

AYES: 154

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	
Heckemeyer				
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe

Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Akin	Barnes	Cierpiot	Gaskill	Loudon
Nordwald	Schwab			

VACANCY: 002

RESOLUTIONS

Representative Kreider offered House Resolution Nos. 238 through 241, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum (112) offered House Resolution No. 242, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 54 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1417 through **HB 1421** were read the second time.

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 40, relating to Department of Aging, was taken up by Representative Rizzo.

Representative Richardson offered House Amendment No. 1.

House Amendment No.1

AMEND House Joint Resolution No. 40, In the Title, in lines two and three, by striking out the words "two new sections" and inserting in lieu thereof "one new section"

Further amend said bill in Page One, Section A, Line One and Two by striking out the words "two new sections" and inserting in lieu thereof "one new section"

Further amend said bill in Page One, Section A, Line Two by striking out the words "sections 12 and 37 (b)" and inserting in lieu thereof "section 12"

Further amend said bill in Page 1, in Section 12 Line 9 by striking out "[and] and inserting in lieu thereof "and"

Further amend said bill in Page 1, Section 12, line 9 by striking out ", and a department of aging"

Further amend said bill in Page Two, section 12, line 10 by striking out "[fifteen] sixteen" and inserting in lieu thereof "fifteen"

Further amend said bill in Page Two, section 12, line 17 by striking out "[fifteen] sixteen" and inserting in lieu thereof "fifteen"

Further amend said bill in Page Two, section 12, line 18 by inserting after the words "powers and duties are germane" the following:

"At such time as the executive department may have fifteen departments named and operating, no further departments may be created. However, the Governor may elect to recommend to the Senate that any one existing department be made a division in order that a new department may take its place in the executive department. Upon the consent of the Senate, such a change may be made in the executive department structure such that the number of departments in the executive department never exceeds fifteen.".

Further amend said bill in Page Two, section 37(b) by striking out all of said lines 19 thru 22

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

Twenty-First Day-Tuesday, February 6, 1996

ABSENT WITH LEAVE: 007

Barnes	Cierpiot	Ford	Gratz	Loudon
Nordwald	Ribaudo			

VACANCY: 002

Representative Richardson moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 056

Akin	Alter	Ballard	Barnett 4	Boatright
Burton	Champion	Childers	Chrismer	Cierpiot
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham	Hall	Hand

Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Marble	Marshall 133
McClelland	Murray 135	Naeger	Ostmann	Pouche
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Steen	Surface	Vogel	Wannenmacher	Whiteside

Wieland

NOES: 101

Auer	Backer	Bartelsmeyer	Bennett 15	Bland
Bonner	Boucher	Bray	Broach	Brown
Canuteson	Carter	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Franklin	Garnett	Goward	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Harlan
Hartzler 123	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Liese	Long
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	O'Connor	O'Neill	O'Toole
Oetting	Overschmidt	Pauley	Prost	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Ward
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Loudon	Nordwald	Ribaudo

VACANCY: 002

Representative Rizzo offered House Amendment No. 2.

House Amendment No. 2

AMEND House Joint Resolution No. 40, page 2, section 12, line 21, by adding after the word "law" the following:

", including the provision of aging services and programs through a unified service delivery system."

On motion of Representative Rizzo, House Amendment No. 2 was adopted.

Representative Childers offered House Amendment No 3.

House Amendment No. 3

AMEND House Joint Resolution No. 40, page 2, section 37(b), line 22, by adding the following:

"All reference to the Department of Aging in this constitution shall mean the Division of Aging after July 1, 2003"

Representative Childers moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 065

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Edwards-

Pavia				
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Legan	Linton	Lograsso
Long	Marble	Marshall 133	McClelland	Murray
135				
Naeger	Oetting	Ostmann	Pryor	
Richardson				
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Sombart	Steen
Summers	Surface	Vogel	Whiteside	Wieland

NOES: 090

Auer	Backer	Bland	Bonner	Bray
Canuteson	Carter	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Garnett
Goward	Gratz	Green	Gunn	Hagan-
Harrell				
Harlan	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Levin	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	O'Connor	O'Neill	O'Toole
Overschmidt	Pauley	Pouche	Prost	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Wannenmacher	Ward	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr.
Speaker				

PRESENT: 000

Twenty-First Day-Tuesday, February 6, 1996

ABSENT WITH LEAVE: 006

Barnes	Boucher	Ford	Loudon	Nordwald

Ribaudo

VACANCY: 002

On motion of Representative Rizzo, **HJR 40, as amended,** was ordered perfected and printed by the following vote:

AYES: 113

Auer	Backer	Ballard	Bartelsmeyer	Bland
Bonner	Boucher	Broach	Brown	Canuteson
Carter	Champion	Childers	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels
41				
Davis	Days	Donovan	Dougherty	Edwards-
Pavia				
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Goward
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	
Heckemeyer				
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Levin	Liese
Long	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Mitchell	
Montgomery				
Morgan	Murphy	Murray 69	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Reynolds	Ribaudo	Rizzo
Robirds	Ross	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe

Vogel	Ward	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 045

Akin	Alter	Barnett 4	Bennett 15	Boatright
Bray	Burton	Chrismer	Cierpiot	Elliott
Enz	Evans	Froelker	Gaskill	Gibbons
Graham	Hall	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kauffman	Keeven	Legan
Linton	Lograsso	Marble	Marshall 133	McClelland
Murray 135	Naeger	Pryor	Richardson	Ridgeway
Sallee	Schwab	Scott	Secrest	Shields
Steen	Van Zandt	Wannenmacher	Whiteside	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 003

Barnes	Loudon	Nordwald

VACANCY: 002

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 199 - Miscellaneous Bills and Resolutions

COMMITTEE REPORT

Committee on Science, Technology and Critical Issues, Chairman Smith reporting:

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **HB 1146**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 55, introduced by Representatives Murphy (95), Enz and Hendrickson, relating to taxation.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1422, introduced by Representative Rizzo, relating to construction, demolition crane and hoisting equipment operators.

HB 1423, introduced by Representative Green, relating to federal law enforcement officials.

HB 1424, introduced by Representative Scheve, relating to the elderly home delivered meals trust fund.

HB 1425, introduced by Representative Pouche, relating to real property tax increment allocation redevelopment.

HB 1426, introduced by Representative Jacob, et al, relating to mental health.

HB 1427, introduced by Representatives Mitchell, Fitzwater and Sears, relating to high school athletics.

HB 1428, introduced by Representative Leake, relating to county coroners.

HB 1429, introduced by Representative Liese, relating to certain financial transactions.

HB 1430, introduced by Representatives May (108), Hosmer and O'Toole, et al, relating to criminal proceedings involving mental illness and to the department of mental health patient's rights.

HB 1431, introduced by Representatives Shields and Hegeman, relating to the conveyance of certain real property of the state of Missouri located in Buchanan County.

HB 1432, introduced by Representatives Leake and Liese, relating to financial transactions.

HB 1433, introduced by Representatives Murphy (95), Enz and Hendrickson, relating to assessment of property

for taxation.

HB 1434, introduced by Representative Murphy (95), relating to tax credit for child care expenses.

HB 1435, introduced by Representatives Lograsso and Murray (135), et al, relating to electronic mail.

HB 1436, introduced by Representatives Dougherty and Stokan, et al, relating to domestic violence.

HB 1437, introduced by Representative Edwards-Pavia, relating to school district audits .

HB 1438, introduced by Representative Skaggs, relating to federal law enforcement officials.

HB 1439, introduced by Representatives Lakin and Ross, relating to motor vehicles.

HB 1440, introduced by Representative Backer, relating to certain telephone companies.

HB 1441, introduced by Representatives Ross and Lakin, relating to motor vehicles.

HB 1442, introduced by Representative Shear, et al, relating to certain health care benefits.

HB 1443, introduced by Representative Prost, et al, relating to assessment of property.

HB 1444, introduced by Representative Prost, et al, relating to qualifications for commissioners of the state tax commission.

HB 1445, introduced by Representatives Rizzo and Bonner, et al, relating to appropriations to convention and sports complex fund.

COMMITTEE CHANGES
1996

Representative Sears no longer a member of the Children, Youth and Families Committee.

WITHDRAWAL OF HOUSE BILL

February 6, 1996

The Honorable Steve Gaw, Speaker

Missouri House of Representatives

Rm. 308, State Capitol

Jefferson City, MO 65101

Dear Mr. Speaker:

I am writing to request that **House Bill 984** be withdrawn. I have had second thoughts about sponsoring this piece of legislation.

The bill has been assigned to the Motor Vehicle and Traffic Regulations Committee and is scheduled for a hearing February 6th at 3:00 P.M.

Respectfully submitted,

/s/ Dick Franklin

53rd District

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, February 7, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twentieth Day, Monday, February 5, 1996, pages 3 and 4, roll call, by showing Representative O'Connor voting "aye" rather than "no".

Pages 4 and 5, roll call, by showing Representative O'Connor voting "aye" rather than "no".

Pages 4 and 5, roll call, by showing Representative Bartelsmeyer voting "aye" rather than "absent with leave".

Twenty-First Day-Tuesday, February 6, 1996

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 7, 1996, 7:30 pm. Hearing Room 9. Amended Notice.

To be considered - HB 810, HB 1288, HB 1408, HB 1409, HB 1297, HB 1318

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Wednesday, February 7, 1996. Hearing Room 7 upon adjournment. Mark-up.

Possible Executive Session

To be considered - HB 1002

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Wednesday, February 7, 1996. Hearing Room 9 fifteen minutes after adjournment. Mark-up.

St. Louis Sports Authority

To be considered - HB 1004, HB 1012

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 8, 1996. Hearing Room 9 fifteen minutes after adjournment if needed. Mark-up

To be considered - HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 7, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Wednesday, February 7, 1996. Hearing Room 8 upon adjournment. Mark-up.

To be considered - HB 1006, HB 1007

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 1996. Hearing Room 8 upon adjournment.

To be considered - Executive Session - HB 1006, Executive Session - HB 1007

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 7, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

BUDGET

Thursday, February 8, 1996, 8:30 am. Hearing Room 9. Executive Session.

To be considered - HB 1215, HB 1400

BUDGET

Monday, February 12, 1996, 12:00 pm. Hearing Room 9. Presentation on salaries, benefits, and COMAP recommendations.

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 7, 1996, 8:00 am. Hearing Rooms 1 & 2. Corrected Notice.

Possible Executive Session.

To be considered - HB 1109, HB 1250, HB 1320

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 7, 1996, 7:30 pm. Hearing Room 8. Amended Notice.

To be considered - HB 1046, HB 1189, HB 1321

CHILDREN'S SERVICES COMMISSION

Monday, February 12, 1996, 10:30 am. Hearing Rooms 3 & 4.

CIVIL AND CRIMINAL LAW

Wednesday, February 7, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 1094, HB 932, HB 894, HB 901, HB 939, HB 1165

CIVIL AND CRIMINAL LAW

Wednesday, February 7, 1996. Side gallery upon adjournment. Executive Session.

COMMERCE

Wednesday, February 7, 1996, 4:00 pm. Hearing Rooms 3 & 4 Executive session may follow.

To be considered - HB 1371, HB 1068, HB 1296

EDUCATION - HIGHER

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 8. Executive Session to follow.

To be considered - HB 857, HB 860, HB 1166

ENERGY AND ENVIRONMENT

Thursday, February 8, 1996, 8:00 am. Hearing Room 8. Executive Session may follow.

To be considered - HB 1345

FEES AND SALARIES

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 1. Executive Session will follow.

Amended Notice.

To be considered - HB 1180, HB 1290

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 7, 1996, 8:00 am. Hearing Room 8. Executive session to follow. Amended Notice

To be considered - HB 1145

JOINT COMMITTEE ON CAPITAL IMPROVEMENTS

Wednesday, February 7, 1996, 3:00 pm. Senate Hearing Rooms 2 & 3.

Facilities Management, Leasing Division Review of Expiring Leases FY97

Twenty-First Day-Tuesday, February 6, 1996

MUNICIPAL CORPORATIONS

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 7. Revised Notice.

To be considered - HB 1233, HB 1218, HB 1243, HB 1358

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 7, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 1162, HB 1306, HB 1143, HB 1144, HB 990, HB 787

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 8, 1996, 9:00 am. Room 401. Executive Session.

RETIREMENT

Wednesday, February 7, 1996, 8:00 pm. Hearing Room 2 Executive Session to follow. Amended Notice

To be considered - HB 1114, HB 1249, HB 1239, HB 1404

TRANSPORTATION

Wednesday, February 7, 1996, 3:00 pm. Hearing Room 5. Executive Session to follow.

To be considered - HB 1112, HB 1252

TRAVEL COMMITTEE

Wednesday, February 7, 1996, 9:00 am. Hearing Room 4.

HOUSE CALENDAR

TWENTY-SECOND DAY, WEDNESDAY, FEBRUARY 7, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 55

HOUSE BILLS FOR SECOND READING

HB 1422 through HB 1445

HOUSE BILLS FOR PERFECTION

HB 905, HCA 1 - Rizzo

HCS HB 904, 788 & 966 - Lakin

HCS HB 1069, 794, 807, 936, 1128, 1153, 1202 - Kelly (27)

HCS HB 1146 - Backer

HOUSE BILL FOR PERFECTION - CONSENT

(February 1, 1996)

HB 846 - Koller

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Revised Statutes of Missouri (RSMO)
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(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

TWENTY-SECOND DAY, Wednesday, February 7, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

The sweeping waves of changing times continue to amaze us, O Lord; in the midst of the present, there is always the future beckoning us to take a peek at what is yet to be.

As these representatives consider new directions and avenues of change, as they deal with their own agendas and those of their constituencies, let them deal honestly and with integrity.

We would be remiss Creator God, if we did not say "thank you" for bringing warm weather back to bless us. While appreciating the crispness of winter, it is nice to enjoy the warmth of the sun. It reminds us that this is indeed a world of change and we stand in awe of your created order.

And now bless this house and those who labor within its walls. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Erin L. Riefer, Julia L. Baker, Misty Hill and Billy Lingua.

The Journal of the twenty-first day was approved as corrected by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Lakin	Leake
Legan	Liese	Linton	Lograsso	Long
Luetkenhaus 133	Lumpe	Marble	Marshall 26	Marshall
May 108	McBride	McClelland	McLuckie	Mitchell

Montgomery 135	Morgan	Murphy	Murray 69	Murray
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers 37	Surface	Tate	Thomason 163	Thompson
Treadway Wannenmacher	Troupe	Van Zandt	Vogel	
Ward 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Dougherty	Kreider	Levin	Loudon
Mays 50	Ostmann			

VACANCY: 002

RESOLUTIONS

Representative Ford offered House Resolution Nos. 243 through 246, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 247, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Howerton and Scott offered House Resolution No. 248, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Garnett offered House Resolution No. 249, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hegeman offered House Resolution No. 250, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (69) offered House Resolution No. 251, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum (112) offered House Resolution No. 252, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Morgan, et al, offered House Resolution No. 253, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution Nos. 254 through 257, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hegeman offered House Resolution No. 258, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 259, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Davis and Auer offered House Resolution No. 260, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Whiteside offered House Resolution No. 261, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 262, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Treadway and Enz offered House Resolution No. 263, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 55 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1422 through **HB 1445** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HJR 40**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Miscellaneous Bills and Resolutions, Chairman Leutkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262 and 263**, begs leave to report it has examined the same and recommends that they **Do Pass**.

PERFECTION OF HOUSE BILL

HB 905, with House Committee Amendment No. 1 , relating to Department of Aging, was taken up by Representative Rizzo.

On motion of Representative Rizzo, House Committee Amendment No. 1 was adopted.

Representative Griesheimer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 905, page 2, section 617.007, lines 3 and 4, by deleting lines 3 and 4 and inserting in lieu thereof the following:

"However, the total number of employees of the department of aging shall not exceed the staffing level of the division of aging as of 7/1/96. This staffing limitation shall not prevent the department from adding staff to implement new programs approved by the general assembly."

Representative Reynolds offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for House Amendment No. 1

AMEND House Bill No. 905, page 2, section 617.007, lines 3 and 4 by deleting lines 3 and 4 and inserting in lieu thereof the following:

"However, the total number of employees of the department of aging shall not exceed seven hundred and twenty-five people. This staffing limitation shall not prevent the department from adding staff to implement new programs approved by the general assembly."

On motion of Representative Reynolds, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted.

Representative Oetting offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 905, Section 617.007, Line 4, by adding the following at the end of said line:

"**Personnel employed in any state department and whose duties involve the provision of aging- related services or programs may be transferred to the department of aging, and shall not be considered in the total staff number limit of seven hundred and twenty-five people**."

Representative Rizzo offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1
to House Amendment No. 2

AMEND House Bill No. 905, page 2, section 617.007, line 4, by adding the following at the end of said line:

"Personnel employed in any state department and whose duties involve the provision of aging - related services or programs may be accessed by the department of aging to assist the department in providing services and programs through a unified service delivery system".

On motion of Representative Rizzo, House Amendment No. 1 to House Amendment No. 2 was adopted.

On motion of Representative Oetting, House Amendment No. 2, as amended, was adopted.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

ABSENT WITH LEAVE: 008

Barnes	Daniel 42	Franklin	Klumb	Lograsso
Naeger	Pauley	Thomason 163		

VACANCY: 002

On motion of Representative Rizzo, **HB 905, as amended,** was ordered perfected and printed by the following vote:

AYES: 103

Auer	Backer	Ballard	Bartelsmeyer	Bennett 15
Bland	Bonner	Boucher	Broach	Brown
Canuteson	Carter	Childers	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Goward	Gratz
Green	Gunn	Hagan-Harrell	Harlan	Hartzler 123
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kasten	Kelly 27	Kissell	Koller	Kreider

Lakin	Leake	Levin	Liese	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McBride
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Toole
Overschmidt	Pouche	Prost	Reynolds	Ribaudo
Rizzo	Robirds	Ross	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Vogel	Ward	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 053

Akin	Alter	Barnett 4	Boatright	Bray
Burton	Champion	Chrismer	Cierpiot	Elliott
Enz	Evans	Froelker	Gaskill	Gibbons
Graham	Griesheimer	Gross	Hall	Hand
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kauffman	Keeven	Kelley 47	Legan	Linton
Lograsso	Long	Loudon	Marble	Marshall 133
McClelland	Murray 135	Oetting	Ostmann	Pryor
Richardson	Ridgeway	Sallee	Schwab	Scott
Secrest	Shields	Steen	Surface	Van Zandt
Wannenmacher	Whiteside	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Daniel 42	Klumb	O'Neill	Pauley

VACANCY: 002

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 671** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

PERFECTION OF HOUSE BILL

HCS HBs 904, 788 and 966, relating to child immunization, was taken up by Representative Lakin.

Representative Lakin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 904, 788 and 966, Page 1, In the Title, Line 2, by striking out all of said line and inserting in lieu thereof the following:

"To repeal section 376.995, RSMo 1994, and section 167.181, RSMo Supp. 1995, and to enact in lieu thereof five new sections for the"; and

Further amend said bill, Page 1, Section A, Line 1, by striking out all of said line and inserting in lieu thereof the following:

"Section A. Section 376.995, RSMo 1994, and section 167.181, RSMo Supp. 1995, are repealed and five new sections enacted in"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the word "sections" the following: "167.181,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"167.181. 1. The department of health, after consultation with the department of elementary and secondary education, shall promulgate rules and regulations governing the [immunization against poliomyelitis, rubella, rubeola, mumps, tetanus, pertussis and diphtheria,] **immunizations** to be required of children attending public, private, parochial or parish schools. The immunizations required and the manner and frequency of their administration shall conform to recognized standards of medical practice. The department of health shall supervise and secure the enforcement of the required immunization program.

2. It is unlawful for any student to attend school unless he has been immunized as required under the rules and regulations of the department of health, and can provide satisfactory evidence of such immunization; except

that if he produces satisfactory evidence of having begun the process of immunization, he may continue to attend school as long as the immunization process is being accomplished in the prescribed manner. It is unlawful for any parent or guardian to refuse or neglect to have his child immunized as required by this section, unless the child is properly exempted.

3. This section shall not apply to any child if one parent or guardian objects in writing to his school administrator against the immunization of the child, because of religious beliefs or medical contraindications. In cases where any such objection is for reasons of medical contraindications, a statement from a duly licensed physician must also be provided to the school administrator.

4. Each school superintendent, whether of a public, private, parochial or parish school, shall cause to be prepared a record showing the immunization status of every child enrolled in or attending a school under his jurisdiction. The name of any parent or guardian who neglects or refuses to permit a nonexempted child to be immunized against diseases as required by the rules and regulations promulgated [hereunder] **pursuant to the provisions of this section** shall be reported by the school superintendent to the department of health.

5. The immunization required may be done by any duly licensed physician or by someone under his direction. If the parent or guardian is unable to pay, the child shall be immunized at public expense by a physician or nurse at or from the county, district, city public health center or a school nurse or by a nurse or physician in the private office or clinic of the child's personal physician with the costs of immunization paid through the state medicaid program, private insurance or in a manner to be determined by the department of health subject to state and federal appropriations, and after consultation with the school superintendent and the advisory committee established in section 192.630, RSMo.

6. Funds for the administration of this section and for the purchase of vaccines for children of families unable to afford them shall be appropriated to the department of health from general revenue or from federal funds if available.

7. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

Representative Hall offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 904, 788 and 966, Page 1, In the Title, Line 2, by striking out all of said line and inserting in lieu thereof the following:

"To repeal section 376.995, RSMo 1994, and section 167.181, RSMo Supp. 1995, and to enact in lieu thereof five new sections for the"; and

Further amend said bill, Page 1, Section A, Line 1, by striking out all of said line and inserting in lieu thereof the following:

"Section A. Section 376.995, RSMo 1994, and section 167.181, RSMo Supp. 1995, are repealed and five new sections enacted in"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the word "sections" the following: "167.181,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"167.181. 1. The department of health, after consultation with the department of elementary and secondary education, shall promulgate rules and regulations governing the [immunization against poliomyelitis, rubella, rubeola, mumps, tetanus, pertussis and diphtheria,] **immunizations** to be required of children attending public, private, parochial or parish schools. The immunizations required and the manner and frequency of their administration shall conform to recognized standards of medical practice. The department of health shall supervise and secure the enforcement of the required immunization program.

2. It is unlawful for any student to attend school unless he has been immunized as required under the rules and regulations of the department of health, and can provide satisfactory evidence of such immunization; except that if he produces satisfactory evidence of having begun the process of immunization, he may continue to attend school as long as the immunization process is being accomplished in the prescribed manner. It is unlawful for any parent or guardian to refuse or neglect to have his child immunized as required by this section, unless the child is properly exempted.

3. This section shall not apply to any child if one parent or guardian objects in writing to his school administrator against the immunization of the child, because of religious beliefs or medical contraindications or because of a sincerely held personal belief that the immunization may be harmful to the child. In cases where any such objection is for reasons of medical contraindications, a statement from a duly licensed physician must also be provided to the school administrator.

4. Each school superintendent, whether of a public, private, parochial or parish school, shall cause to be prepared a record showing the immunization status of every child enrolled in or attending a school under his jurisdiction. The name of any parent or guardian who neglects or refuses to permit a nonexempted child to be immunized against diseases as required by the rules and regulations promulgated [hereunder] **pursuant to the provisions of this section** shall be reported by the school superintendent to the department of health.

5. The immunization required may be done by any duly licensed physician or by someone under his direction. If the parent or guardian is unable to pay, the child shall be immunized at public expense by a physician or nurse at or from the county, district, city public health center or a school nurse or by a nurse or physician in the private office or clinic of the child's personal physician with the costs of immunization paid through the state medicaid program, private insurance or in a manner to be determined by the department of health subject to state and federal appropriations, and after consultation with the school superintendent and the advisory committee established in section 192.630, RSMo.

6. Funds for the administration of this section and for the purchase of vaccines for children of families unable to afford them shall be appropriated to the department of health from general revenue or from federal funds if available.

7. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

Representative Hall moved that House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 032

Akin	Alter	Ballard	Boatright	Brown
Champion	Elliott	Enz	Evans	Gaskill
Graham	Gross	Hall	Hartzler 124	Hendrickson
Hohulin	Keeven	Levin	Linton	Lograsso
Loudon	Marble	Marshall 26	Marshall 133	Murphy
Ridgeway	Robirds	Steen	Summers	Wannenmacher
Whiteside	Wieland			

NOES: 115

Auer 15	Backer	Barnett 4	Bartelsmeyer	Bennett
Bland	Bonner	Boucher	Bray	Broach
Burton	Canuteson	Carter	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gibbons	Goward	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Kreider	Lakin	Leake
Liese	Long	Luetkenhaus	Lumpe	May 108
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murray 69	Murray 135	Nordwald	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Reynolds	Ribaudo	Richardson
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Daniel 42	Ford	Howerton	Klumb
Koller	Legan	Mays 50	Naeger	O'Connor
Pauley	Thompson 37	Ward	Wiggins	

VACANCY: 002

On motion of Representative Lakin, House Amendment No. 1 was adopted.

Representative Shields offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bills 904, 788, and 966, further Amend said bill in page one, subset 3, line 15, by striking out "["

Further amend said bill in page two, line 16 by striking out "(6)]" Section 376.782[.];" and inserting in lieu thereof " (6) Section 376.782."

Further amend said bill in page two, lines 17 and 18 by striking out all of both said lines

Further amend said bill in Section One, line 1, by striking out all of lines 1 thru 15

Further amend said bill in Page Three, Section 1, line 16 by striking out all of lines 16 thru 18

Further amend said bill in Page Three, Section 2, line 1 by striking out all of lines 1 thru 5

Further amend said bill in Page Three, Section 3, line one by striking out "3" and inserting in lieu thereof "1"

Further amend said bill in Page Five, by inserting after the words "administer immunizations in this state." the following:

"Section 2. Any health care provider who agrees to administer immunizations for children from birth to five years of age as provided by department of health regulations shall receive vaccine for such immunizations free of charge from the state of Missouri through the department of health. Such provider shall only qualify for free vaccine if the provider charges no more than a nominal administration fee for administering the immunization. The department of health may judge on a case by case basis if the proposed administrative charge is one which qualifies for vaccine."

Further amend said bill In Page Five, by inserting after the words "which qualifies for vaccine." the following:

"Section 3. The department of health shall promulgate rules and regulations to determine which vaccines shall be provided as described in section 2 of this act. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo."

HCS HBs 904, 788 and 966, as amended, with House Amendment No. 2, pending, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 905 - Budget (Fiscal Note)

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 992**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 849**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Correctional and State Institutions, Chairman Crump (152) reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 974**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 974, Page 1, In the Title, Line 2, by inserting immediately after the word "sections" the following: "557.036"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting immediately after the word "sections" the following: "557.036"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "seven" and inserting in lieu thereof the

word "eight"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the word "sections" the following: "557.036,"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said line, the following:

"557.036. 1. Subject to the limitation provided in subsection 3 of this section, upon a finding of guilt upon verdict or plea, the court shall decide the extent or duration of sentence or other disposition to be imposed under all the circumstances, having regard to the nature and circumstances of the offense and the history and character of the defendant and render judgment accordingly.

2. The court shall instruct the jury as to the range of punishment authorized by statute and upon a finding of guilt to assess and declare the punishment as a part of their verdict, unless

(1) The defendant requests in writing, prior to voir dire, that the court assess the punishment in case of a finding of guilt, or

(2) The state pleads and proves the defendant is a prior offender, persistent offender, dangerous offender, or persistent misdemeanor offender as defined in section 558.016, RSMo**, a persistent sexual offender as defined in section 558.018, RSMo, or a predatory sexual offender as defined in subdivision (1) or (2) of subsection 2 of section 558.023, RSMo**.

If the jury finds the defendant guilty but cannot agree on the punishment to be assessed, the court shall proceed as provided in subsection 1 of this section. If there be a trial by jury and the jury is to assess punishment and if after due deliberation by the jury the court finds the jury cannot agree on punishment, then the court may instruct the jury that if it cannot agree on punishment that it may return its verdict without assessing punishment and the court will assess punishment.

3. If the jury returns a verdict of guilty and declares a term of imprisonment as provided in subsection 2 of this section, the court shall proceed as provided in subsection 1 of this section except that any term of imprisonment imposed cannot exceed the term declared by the jury unless the term declared by the jury is less than the authorized lowest term for the offense, in which event the court cannot impose a term of imprisonment greater than the lowest term provided for the offense.

4. If the defendant is found to be a prior offender, persistent offender, dangerous offender or persistent misdemeanor offender as defined in section 558.016, RSMo:

(1) If he has been found guilty of an offense, the court shall proceed as provided in section 558.016, RSMo, or

(2) If he has been found guilty of a class A felony, the court may impose any sentence authorized for the class A felony.

5. The court shall not seek an advisory verdict from the jury in cases of prior offenders, persistent offenders, [or] dangerous offenders**, persistent sexual offenders or predatory sexual offenders**; if an advisory verdict is rendered, the court shall not deem it advisory, but shall consider it as mere surplusage."; and

Further amend said bill, Page 2, Section 558.018, Line 14, by inserting immediately after the word "**parole**" the following: "**after a minimum of thirty years imprisonment. In no event shall such person receive a final discharge from the board of probation and parole pursuant to section 217.730, RSMo**"; and

Further amend said bill, Page 2, Section 558.021, Line 15, by inserting immediately after the number "558.016" the following: "**or subdivision (3) of subsection 2 of section 558.023**"; and

Further amend said bill, Page 2, Section 558.021, Line 19, by inserting immediately after the number "558.016", the following: "**or subdivision (3) of subsection 2 of section 558.023**"; and

Further amend said bill, Page 2, Section 558.023, Line 4, by inserting immediately after the word "**parole**" the following: "**, but in no event shall such person receive a final discharge from the board of probation and parole pursuant to section 217.730, RSMo**"; and

Further amend said bill, Page 5, Section 559.115, Line 15, by deleting "**566.030, 566.032, 566.060**" and inserting in lieu thereof "**566.032**"; and

Further amend said bill, Page 5, Section 559.115, Line 16, by inserting immediately after all of said line, the following: "**or**"; and

Further amend said bill, Page 5, Section 559.115, Line 17, by deleting all of said line; and

Further amend said bill, Page 5, Section 559.115, Line 18, by deleting "**(3)**" and inserting in lieu thereof "**(2)**"; and

Further amend said bill, Page 5, Section 559.115, Line 29, by inserting immediately after the word "**RSMo;**" the following: "**child molestation in the first degree pursuant to section 566.067, RSMo; child molestation in the second degree pursuant to section 566.068, RSMo, when classified as a class D felony; a defendant who has**

been found to be a predatory sexual offender pursuant to section 558.023, RSMo;"; and

Further amend said bill, Page 6, Section 589.015, Line 7, by inserting immediately after "**statutory sodomy in the second degree,**" the following: "**child molestation in the first degree, child molestation in the second degree,**".

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 895**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Energy and Environment, Chairman Garnett reporting:

Mr. Speaker: Your Committee on Energy and Environment, to which was referred **HB 945**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Federal - State Relations and Veterans Affairs, Chairman Montgomery reporting:

Mr. Speaker: Your Committee on Federal - State Relations and Veterans Affairs, to which was referred **HB 832**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 832, Page 2, Section 1, Line 10, by deleting the words "**Mt. Vernon in Lawrence County**" and inserting in lieu thereof the following: "**Springfield in Greene County**"; and

Further amend said bill, Page 2, Section 1, Line 11, by inserting after the words "**St. Louis County**" the following: "**with an alternate site in St. Charles County or Jefferson County"**.

Committee on Fees and Salaries, Chairman Marshall (26) reporting:

Mr. Speaker: Your Committee on Fees and Salaries, to which was referred **HB 1208**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 844 and HB 1059**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred the **Bootheel Caucus**, begs leave to report it has examined the same and **approves it pursuant to Section 105.470 (6) 4 (2) and (c) d RSMo.**

Twenty-second Day-Wednesday, February 7, 1996

TO:Representative Gary Witt, Chairman

Judiciary and Ethics Committee

FROM: Representative Larry Thomason

RE: Bootheel Caucus

According to Section 105.470 I have listed the members of the Bootheel Caucus. They are:

/s/ Jess Garnett /s/ Don Koller
/s/ Mark Richardson /s/ Bill Foster
/s/ Marilyn Williams /s/ Joe Heckemeyer
/s/ Gene Copeland /s/ Donald Prost
/s/ Jim Montgomery /s/ Larry Thomason

/s/ Jim Sears

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 818**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 879**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2.**

House Committee Amendment No. 1

AMEND House Bill 879, Page 1, Section 1, Line 1, by inserting after the words "**Section 1.**" the following: "**1.**"; and

FURTHER AMEND SAID BILL, Page 1, Section 1, Line 7, by inserting immediately after said line the following:

"2. All public entities covered in sections 1 to 7 of this act shall, before issuing a permit to build or renovate any structure governed by sections 1 to 7 of this act, obtain evidence that notice was given to the permit applicant regarding the necessity to comply with the Americans with Disabilities Act of 1990 and the Fair Housing Act Amendments of 1988, when applicable. Such evidence shall be a copy of such notice signed by the permit applicant. Such notice shall include the following language in ten-point type:

NOTICE TO BUILDING PERMIT APPLICANT

ALL NEW FACILITIES AND ALL RENOVATIONS OF EXISTING FACILITIES ARE REQUIRED TO COMPLY WITH THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990 ACCESSIBILITY STANDARDS, EXCEPT THOSE FACILITIES WHICH ARE FOR RESIDENTIAL USE OR ARE OWNED AND CONTROLLED BY A RELIGIOUS ORGANIZATION.

ALL MULTI-FAMILY RESIDENTIAL PROJECTS WITH FOUR OR MORE UNITS ARE REQUIRED TO COMPLY WITH THE FEDERAL FAIR HOUSING ACT OF 1988 AMENDMENTS.

ACKNOWLEDGEMENT OF NOTICE

I HAVE BEEN INFORMED OF THE RESPONSIBILITY TO COMPLY WITH THE FEDERAL LAWS REFERENCED ABOVE.

_____ _____

SIGNATURE OF APPLICANT WITNESS DATE

House Committee Amendment No. 2

AMEND House Bill No. 879, page 2, section 7, line 1, by deleting the word "**may**" and by inserting in lieu thereof the word "**shall**".

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1259**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 782**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 782, Page 1, Section 302.291, Line 12, by deleting after the word "officer", the following: "physician,"

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1402**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on State Parks, Recreation and Natural Resources, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Recreation and Natural Resources, to which was referred **HB 1041**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1041, Page 1, Section 252.045, Lines 9 and 10, by deleting the words: "**boats and water conveyances,**" and inserting in lieu thereof the words: "**boats, water conveyances, trailers,**".

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 866**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 991**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and 1,000 copies ordered printed:

HJR 56, introduced by Representative Cooper, et al, relating to certain sales taxes.

HJR 57, introduced by Representative Scheve, relating to bingo.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1446, introduced by Representative Bonner, relating to six-director school districts.

HB 1447, introduced by Representative Oetting, relating to certain health care coverage.

HB 1448, introduced by Representative Oetting, relating to insurance coverage of pharmaceutical benefits.

HB 1449, introduced by Representative Dougherty, relating to prohibiting the awarding of live animals as prizes and incentives.

HB 1450, introduced by Representatives Richardson and Gratz, relating to environmental protection.

HB 1451, introduced by Representative Barnett (4), relating to unmarked human burial sites.

HB 1452, introduced by Representatives Lograsso and Ross, relating to real property tax increment allocation redevelopment.

HB 1453, introduced by Representatives Fiebelman and Froelker, relating to establishment of certain roads.

HB 1454, introduced by Representatives Hall and Cierpiot, et al, relating to domestic relations.

HB 1455, introduced by Representatives Hall and Cierpiot, relating to protection of children in foster and adoptive placements.

HB 1456, introduced by Representative Hegeman, relating to purchasing practices in certain counties.

HB 1457, introduced by Representatives Hegeman and Gibbons, et al, relating to executive department budgets.

HB 1458, introduced by Representative Froelker, relating to marriages of certain persons.

HB 1459, introduced by Representative Froelker, relating to grain warehouse law.

HB 1460, introduced by Representatives Wiggins and Nordwald, relating to central dispatching and emergency services.

HB 1461, introduced by Representatives Secrest, Richardson and Gratz, et al, relating to workers' compensation.

HB 1462, introduced by Representative Edwards-Pavia, et al, relating to outstanding schools act.

HB 1463, introduced by Representative Shields, et al, relating to outstanding schools act.

HB 1464, introduced by Representative May (108), relating to crimes against children.

HB 1465, introduced by Representatives Hoppe and Lograsso, relating to certain circuit courts.

HB 1466, introduced by Representatives Rizzo and Mays (50), relating to sales tax exemptions.

HB 1467, introduced by Representatives Sallee and Gibbons, et al, relating to appropriations.

HB 1468, introduced by Representative Crump (152), relating to certain weapons offenses.

HB 1469, introduced by Representative Skaggs, relating to bidding at a sale of land for delinquent taxes.

HB 1470, introduced by Representative Crump (152), relating to the liquor control law.

HB 1471, introduced by Representative Jacob, relating to student representatives on the governing boards of certain institutions of higher education.

HB 1472, introduced by Representative Shear, relating to certain health care benefits.

COMMITTEE CHANGES

1996

Representative Ward appointed a member of the Correctional and State Institutions Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 575**, entitled:

An act to repeal section 197.318, RSMo 1994, relating to certificate of need, and to enact one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 735**, entitled:

An act to repeal section 72.418, RSMo Supp. 1995, relating to fire protection district elections, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 857**, entitled:

An act to repeal sections 169.010 and 169.600, RSMo 1994, and sections 169.030 and 169.620, RSMo Supp. 1995, relating to teacher retirement, and to enact in lieu thereof four new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 8, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-First Day, Tuesday, February 6, 1996, pages 1 and 2, roll call, by showing Representative Gaskill voting "aye" rather than "absent with leave".

Pages 3 and 4, roll call, by showing Representative Gratz voting "present" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - EDUCATION AND PUBLIC SAFETY

Thursday, February 8, 1996. Hearing Room 7 upon adjournment. Executive

Session If Needed.

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Thursday, February 8, 1996. Hearing Room 9 fifteen minutes after adjournment if needed. Mark-up

To be considered - HB 1012

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Thursday, February 8, 1996. Hearing Room 5 upon adjournment. Dept. of Mental Health mark-up.

APPROPRIATIONS - NATURAL AND ECONOMIC RESOURCES

Thursday, February 8, 1996. Hearing Room 8 upon adjournment.

To be considered - Executive Session - HB 1006, Executive Session - HB 1007

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 13, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1009

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 14, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

BUDGET

Thursday, February 8, 1996, 8:30 am. Hearing Room 9. Executive Session.

To be considered - HB 1215, HB 1400

BUDGET

Monday, February 12, 1996, 12:00 pm. Hearing Room 9. Presentation on

salaries, benefits, and COMAP recommendations.

CHILDREN'S SERVICES COMMISSION

Monday, February 12, 1996, 10:30 am. Hearing Rooms 3 & 4.

CIVIL AND CRIMINAL LAW

Thursday, February 8, 1996. Side Gallery upon adjournment. Executive Session.

CONSUMER PROTECTION

Thursday, February 8, 1996, 9:00 am. Hearing Room 2.

To be considered - Executive Session - HB 1363

ENERGY AND ENVIRONMENT

Thursday, February 8, 1996, 8:00 am. Hearing Room 8. Executive Session may follow.

To be considered - HB 1345

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 8, 1996, 9:00 am. Room 401. Executive Session.

PUBLIC HEALTH AND SAFETY

Thursday, February 8, 1996. Side Gallery upon adjournment. Amended Notice

To be considered - Executive Session - HB 1121, Executive Session - HB 1282,

Executive Session - HB 1377

PUBLIC HEALTH AND SAFETY

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 9.

To be considered - HB 802, HB 885, HB 1026, HB 1081

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Thursday, February 8, 1996. Hearing Rooms 3 & 4 upon adjournment.

Corrected Notice

To be considered - Executive Session - HB 1169, Executive Session - HB 1301

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Thursday, February 8, 1996. Senate Committee Room 1 upon adjournment.

Contested fiscal notes. Cancelled

To be considered - SB 641

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Tuesday, February 13, 1996, 1:30 pm. Senate Committee Room 1. Contested Fiscal Notes.

To be considered - SB 641

URBAN AFFAIRS

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1140, HB 1267, HB 1410

WAYS AND MEANS

Tuesday, February 13, 1996, 3:00 pm. Hearing Rooms 1 & 2.

To be considered - HB 1155, HB 1158, HB 1219, HB 834, HB 987, HB 1413,

HB 1147, HB 969, HB 947

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 12, 1996, 8:00 pm. Hearing Room 5. Amended Notice.

To be considered - HB 1313, HB 1368

HOUSE CALENDAR

TWENTY-THIRD DAY, THURSDAY, FEBRUARY 8, 1996

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 56

HJR 57

HOUSE BILLS FOR SECOND READING

HB 1446 through HB 1472

HOUSE BILLS FOR PERFECTION

HCS HB 904, 788 & 966, as amended, with HA 2 pending - Lakin

HCS HB 1069, 794, 807, 936, 1128, 1153, 1202 - Kelly (27)

HCS HB 1146 - Backer

HOUSE BILL FOR PERFECTION - CONSENT

(February 1, 1996)

HB 846 - Koller

HOUSE JOINT RESOLUTION FOR THIRD READING

HJR 40 - Rizzo

HOUSE BILL FOR THIRD READING

HB 905, (Budget Fiscal 2-7-96) - Rizzo

SENATE BILLS FOR SECOND READING

SB 575

SCS SB 735

SCS SB 857

COURTESY RESOLUTIONS

HR 211 - Gaw

HR 212 - Whiteside

HR 213 - Prost

HR 214 - Davis

HR 215 - Morgan

HR 216 - Hosmer

HR 217 - Wooten

HR 218 - Surface

HR 219 - Stokan

HR 220 - Gratz

HR 221 - Heckemeyer

HR 222 - Heckemeyer

HR 223 - Heckemeyer

HR 224 - Shields

HR 225 - McLuckie

HR 227 - Scott

HR 228 - Harlan

HR 229 - Marshall (26)

HR 230 - Gaw

HR 231 - Overschmidt

HR 232 - Bray

HR 233 - Chrismer

HR 234 - Hohulin

HR 235 - Thomason (163)

HR 236 - Ross

HR 237 - Richardson

HR 238 - Kreider

HR 239 - Kreider

HR 240 - Kreider

HR 241 - Kreider

HR 242 - Crum (112)

HR 243 - Ford

HR 244 - Ford

HR 245 - Ford

HR 246 - Ford

HR 247 - Surface

HR 248 - Howerton

HR 249 - Garnett

HR 250 - Hegeman

HR 251 - Murray (69)

HR 252 - Crum (112)

HR 253 - Morgan

HR 254 - Williams (121)

HR 255 - Williams (121)

HR 256 - Williams (121)

HR 257 - Williams (121)

HR 258 - Hegeman

HR 259 - Smith

HR 260 - Davis

HR 261 - Whiteside

HR 262 - Vogel

HR 263 - Treadway

House Members
Bill Information
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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

TWENTY-THIRD DAY, Thursday, February 8, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

By your Spirit and in your grace, O God, we bring our thanks to you this morning for another day of life. In the soft, sweet beginnings of day, we are reminded that all we are and all that we have are gifts from your generous hand.

As we labor in these great halls today, where debate and discussion compromise, and negotiations are a part of daily life, let us not forget our responsibilities: to ourselves, to our families, friends, to those we serve, and to you.

Help us never to act in such a way that we shall lose our self respect;
Never to let ourselves down by doing things which are mean or low, disloyal or dishonorable,
or against our deeply felt principles and convictions;
Never to do anything that would disappoint those who have placed their faith and trust in us.
Do not let us be the kind of people who demand their rights and forget their duties, nots.
the kind who want to get everything out of life, yet put nothing into it.

Lord of Grace and Mercy, help us be worthy of our heritage as a people and as a state. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Julie Sapp and Maggie Brennan.

The Journal of the twenty-second day was approved as corrected.

RESOLUTIONS

Representative Sears offered House Resolution No. 264, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 265, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears offered House Resolution No. 266, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Burton offered House Resolution No. 267, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Jacob offered House Resolution No. 268, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham, et al, offered House Resolution No. 269, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Sombart offered House Resolution No. 270, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hagan-Harrell offered House Resolution No. 271, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griesheimer offered House Resolution No. 272, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative O'Toole offered House Resolution No. 273, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shelton (57) offered House Resolution No. 274, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 275, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 211 through 225 and House Resolution Nos. 227 through 263 were taken up.

On motion of Representative Backer, House Resolution Nos. 211 through 225 and House Resolution Nos. 227 through 263 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 56 and **HJR 57** were read the second time.

SECOND READING OF HOUSE BILLS

HB 1446 through **HB 1472** were read the second time.

SECOND READING OF SENATE BILLS

SB 575, SCS SB 735 and **SCS SB 857** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 905**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HBs 904, 788, and 966, as amended, with House Amendment No. 2, pending, relating to child immunization, was again taken up by Representative Lakin.

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Bills Nos. 904, 788 and 966, Page 1, In the Title, Lines 2 and 3, by striking out all of said lines and inserting in lieu thereof the following: "Relating to improving access to immunizations for children."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by striking out all of said lines; and

Further amend said bill, Pages 1 and 2, Section 376.995, Lines 1 through 37, by striking out all of said lines; and

Further amend said bill, Pages 2 and 3, Section 1, Lines 1 through 18, by striking out all of said lines; and

Further amend said bill, Page 3, Section 2, Lines 1 through 5, by striking out all of said lines; and

Further amend said bill, Page 3, Section 3, Line 1, by striking out the numeral "**3.**" and inserting in lieu thereof the following: "**1.**"; and

Further amend said bill, Page 5, Section 3, Line 69, by inserting immediately after said line the following:

"**Section 2. Any health care provider who agrees to administer immunizations for children from birth to five years of age as provided by department of health regulations shall receive vaccine for such immunizations free of charge from the state of Missouri through the department of health. Such provider shall only qualify for free vaccine if the provider charges no more than a nominal administration fee for administering the immunization. The department of health may judge on a case by case basis if the proposed administrative charge is one which qualifies for vaccine.**"; and

Further amend said bill, Page 5, Section 3, Line 69, by inserting after said line the following:

"**Section 3. 1. Each entity offering individual or group health insurance policies providing coverage on an expense-incurred basis, individual or group service or indemnity type contracts issued by a health services corporation, individual or group service contracts issued by a health maintenance organization, all self-insured group arrangements to the extent not preempted by federal law and all managed health care delivery entity plans of any type or description, shall add a premium tax of three tenths of one percent to every plan, policy or contract that is delivered, issued for delivery, continued or renewed in this state on or after August 28, 1996.**

2. The premium tax collected pursuant to the provisions of subsection 1 of this section shall be submitted to the director of the department of revenue for deposit in the "Childhood Immunization Fund" which is hereby established in the state treasury. Such fund shall be administered by the department of health. Moneys in the fund shall, upon appropriation, be used solely to provide immunizations for children. Any unexpended balance in the fund at the end of a fiscal year shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund.

3. The department of health shall promulgate rules and regulations to determine which vaccines shall be provided as described in section 2 of this act. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

Representative Shields moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 024

Akin	Ballard	Bartelsmeyer	Boatright	Burton
Childers	Elliott	Foster	Froelker	Hand
Hohulin	Marble	Marshall 133	McClelland	Naeger
Robirds	Sallee	Scott	Shields	Sombart
Steen	Surface	Vogel	Whiteside	

NOES: 131

Alter	Auer	Backer	Barnett 4	Bennett 15
Bland	Bonner	Boucher	Bray	Broach
Brown	Canuteson	Carter	Champion	Chrismer
Cierpiot	Clayton	Cooper	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Edwards-Pavia	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McBride
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Ross	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Stokan
Stoll	Summers	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Ward	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Copeland	Dougherty	Keeven	Klumb
Wannenmacher				

VACANCY: 002

Representative Shields moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 065

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Edwards-Pavia
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham	Griesheimer	Gross
Hall	Hand	Hartzler 124	Hegeman	Hohulin
Hosmer	Howerton	Kasten	Kauffman	Kelley 47
Legan	Levin	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	McClelland	Murray 135
Naeger	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Sallee	Schwab
Scott	Secrest	Shields	Sombart	Steen
Summers	Surface	Vogel	Whiteside	Wieland

NOES: 088

Auer	Backer	Bland	Bonner	Boucher
Bray	Canuteson	Carter	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Garnett
Goward	Gratz	Green	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Heckemeyer	Hendrickson	Hickey
Hoppe	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Nordwald	O'Connor	O'Neill	O'Toole	Overschmidt
Pauley	Prost	Reynolds	Ribaudo	Rizzo
Ross	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Ward	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Copeland	Dougherty	Jacob	Keeven
Klumb	Thompson 37	Wannenmacher		

VACANCY: 002

On motion of Representative Lakin, **HCS HBs 904, 788 and 966, as amended,** was adopted.

On motion of Representative Lakin, **HCS HBs 904, 788 and 966, as amended,** was ordered perfected and printed by the following vote:

AYES: 132

Akin	Auer	Backer	Barnett 4	Bartelsmeyer
Bennett 15	Bland	Bonner	Boucher	Bray
Broach	Brown	Burton	Canuteson	Carter
Champion	Chrismer	Cierpiot	Clayton	Cooper

Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Levin	Liese
Lograsso	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Ross	Sallee	Scheve	Schilling
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 020

Alter	Ballard	Boatright	Childers	Elliott
Hall	Hohulin	Howerton	Legan	Linton
Long	Loudon	Marble	Marshall 133	Murray 135
Robirds	Schwab	Scott	Sombart	Steen

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Copeland	Crump 152	Dougherty	Jacob
Keeven	Klumb	Thompson 37	Wannenmacher	

VACANCY: 002

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 40, relating to Department of Aging, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HJR 40** was read the third time and passed by the following vote:

AYES: 107

Auer	Backer	Ballard	Bartelsmeyer	Bland
Bonner	Boucher	Broach	Brown	Canuteson
Carter	Champion	Childers	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Edwards-Pavia	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Garnett	Goward	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Levin	Liese	Long
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Reynolds	Ribaudo	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Ward	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 045

Akin	Alter	Barnett 4	Bennett 15	Boatright
Bray	Burton	Chrismer	Cierpiot	Elliott
Enz	Evans	Froelker	Gaskill	Gibbons

Graham	Hall	Hand	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kauffman	Legan
Linton	Lograsso	Loudon	Marble	Marshall 133
McClelland	Murray 135	Naeger	Pryor	Richardson
Ridgeway	Schwab	Scott	Secrest	Shields
Steen	Van Zandt	Vogel	Whiteside	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Copeland	Dougherty	Ford	Gratz
Keeven	Klumb	Thompson 37	Wannenmacher	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 575 - Social Services, Medicaid and the Elderly

SB 857 - Science, Technology and Critical Issues

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1372 - Consumer Protection

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1473, introduced by Representative Shear, relating to physicians and surgeons.

HB 1474, introduced by Representative Troupe, relating to payment for drugs for off-label use.

HB 1475, introduced by Representative Oetting, relating to group health insurance.

HB 1476, introduced by Representatives Ribaudo and Ford, relating to the state highway system.

HB 1477, introduced by Representatives Days and Farnen, et al, relating to elections.

HB 1478, introduced by Representative Davis, et al, relating to automobile insurance.

HB 1479, introduced by Representative Richardson, relating to county prosecutors.

HB 1480, introduced by Representatives Surface and Thomason (163), relating to motor vehicle registration.

HB 1481, introduced by Representative Naeger, relating to the transportation of pupils to all schools.

HB 1482, introduced by Representative Pouche, relating to special road districts in certain counties.

HB 1483, introduced by Representative Barnett (4), relating to motor vehicles.

HB 1484, introduced by Representatives Naeger, Hosmer and Prost, relating to health insurance.

HB 1485, introduced by Representative Donovan, relating to motor vehicle safety belts.

HB 1486, introduced by Representative Farmer, relating to constitutional charter cities.

HB 1487, introduced by Representative Clayton, relating to placement of children by the courts.

HB 1488, introduced by Representative Auer, relating to the public school retirement system in districts with over

700,000 inhabitants.

HB 1489, introduced by Representatives Levin and Green, relating to election dates.

HB 1490, introduced by Representative O'Neill, et al, relating to the department of corrections .

HB 1491, introduced by Representative Ballard, relating to certain juvenile detention facilities.

HB 1492, introduced by Representatives Ribaudo and Ford, relating to use of automatic external defibrillation devices.

HB 1493, introduced by Representative Burton, relating to the assessment of property.

HB 1494, introduced by Representative Gratz, relating to financial responsibility.

HB 1495, introduced by Representatives Gross, Bartelsmeyer and Edwards-Pavia, et al, relating to public officials and employees.

COMMITTEE REPORTS

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 1363**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Education - Higher, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 980**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1098**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 907 and HB 910**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1377**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 781**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1172**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

WITHDRAWAL OF HOUSE BILL

February 8, 1996

Speaker Steve Gaw

Missouri House of Representatives

Room 308, Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

I am writing this letter requesting that **HB 1255** be withdrawn.

Respectfully submitted,

/s/ Representative Glenn Hall

District 56

The following members' presence were noted: Wannenmacher and Keeven.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 12, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Second Day, Wednesday, February 7, 1996, pages 1 and 2, roll call, by showing Representatives Kreider, Levin and Louden voting "aye" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representatives Franklin voting "present" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representatives O'Neill voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representatives Koller and O'Connor voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, February 12, 1996, 8:00 pm. Hearing Room 8. Executive Session to follow.

To be considered - HB 1171

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Tuesday, February 13, 1996. Hearing Room 9 fifteen minutes after morning adjournment.

To be considered - HB 1013

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 13, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1009

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 14, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

BUDGET

Monday, February 12, 1996, 12:00 pm. Hearing Room 9. Presentation on salaries, benefits, and COMAP recommendations.

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 14, 1996, 8:00 am. Hearing Rooms 1 & 2. Possible Executive Session.

To be considered - HB 981, HB 1042, HB 1109, HB 1250, HB 1320

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 14, 1996, 7:30 pm. Hearing Room 8.

To be considered - HB 1403

CHILDREN'S SERVICES COMMISSION

Monday, February 12, 1996, 10:30 am. Hearing Rooms 3 & 4.

CIVIL AND CRIMINAL LAW

Wednesday, February 14, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow.

To be considered - HB 1168, HB 1199, HB 993, HB 1178, HB 1357, HB 1393, HB 887, HB 1304

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 8 Executive Session to follow.

To be considered - HB 1310, HB 902, HB 1336, SB 687

ELECTIONS

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow.

To be considered - HB 1335, HB 1184, HB 1334, HB 1401

FEES AND SALARIES

Wednesday, February 14, 1996, 3:00 pm. Hearing Room 1. Executive Session to follow.

To be considered - HB 1190, HB 1356, HB 1274

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 14, 1996, 8:00 am. Hearing Room 8. Executive session to follow.

To be considered - HB 994, HB 1229, HB 1340

INSURANCE

Tuesday, February 13, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 1119, HB 1060, HB 1062, HB 1074, HB 1289

JUDICIARY AND ETHICS

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 5 Executive Session may follow.

To be considered - HB 1350, HB 1360, HB 1361, HB 953

LABOR

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 1154, HB 1265, HB 874

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 3. Executive Session to follow.

To be considered - HB 1222, HB 1330, HB 1346, HB 898

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 1095, HB 1142, HB 1163, HB 1174, HB 1196

MUNICIPAL CORPORATIONS

Wednesday, February 14, 1996, 3:00 pm. Hearing Room 7. Executive Session.

Twenty-third Day-Thursday, February 8, 1996

PUBLIC HEALTH AND SAFETY

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 9. Amended Notice.

To be considered - HB 802, HB 885, HB 1026, HB 1081, HB 1247

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, February 12, 1996, 8:00 pm. Hearing Room 7. Amended Notice. Executive Session to Follow.

To be considered - HB 1348, HB 1254, SB 857

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Tuesday, February 13, 1996, 1:30 pm. Senate Committee Room 1. Contested Fiscal Notes.

To be considered - SB 641

URBAN AFFAIRS

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1140, HB 1267, HB 1410

WAYS AND MEANS

Tuesday, February 13, 1996, 3:00 pm. Hearing Rooms 1 & 2. Amended Notice. Executive Session.

To be considered - HB 1155, HB 1158, HB 1219, HB 834, HB 987, HB 1147, HB 969, HB 947

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 12, 1996, 8:00 pm. Hearing Room 5. Amended Notice.

To be considered - HB 1313, HB 1368

HOUSE CALENDAR

TWENTY-FOURTH DAY, MONDAY, FEBRUARY 12, 1996

HOUSE BILLS FOR SECOND READING

HB 1473 through HB 1495

HOUSE BILLS FOR PERFECTION

HCS HB 1069, 794, 807, 936, 1128, 1153, 1202 - Kelly (27)

HCS HB 1146 - Backer

HB 879, HCA 1 and HCA 2 - Kreider & Hosmer

HB 1208 - Backer

HB 1098 - Goward

HB 974, HCA 1 - Crump (152)

HCS HB 849 - Tate

HCS HB 895 - Ostmann

HCS HB 844 & 1059 - Auer & Gunn

HCS HB 1259 - Williams (121)

HB 1041, HCA 1 - McBride

HB 866 - Overschmidt

HCS HB 781 - Stokan

HCS HB 907 & 910 - Treadway

HCS HB 991 - Koller

HCS HB 818 - Kreider & Witt

HOUSE BILL FOR THIRD READING

HB 905, (Budget Fiscal 2-7-96) - Rizzo

HOUSE BILL FOR THIRD READING - CONSENT

HB 846 - Koller

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House Journal

Second Regular Session, 88th General Assembly

TWENTY-FOURTH DAY, Monday, February 12, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"I heard a voice cry...tell him the meaning of the vision." (Dan. 8:15)

Today the nation celebrates the birthday and the heritage of Abraham Lincoln.

This afternoon, gracious Lord, we acknowledge that our heroes combined two characteristics: in many ways, they were captives of their own culture, as we are, but more significantly, they could stand taller and challenge their contemporaries on some significant issues.

Today, we ask for the same spirit, the vision, and the courage we need to solve the challenges we face. Strengthen the Union, heal our divisiveness by prodding us to overcome the prejudices and the pressures which keep many of us enslaved to the old way of doing business, and so we deprive all citizens of their fair share of the blessings of liberty. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-third day was approved as corrected.

RESOLUTIONS

Representative Thomason (163) offered House Resolution No. 276, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pouche offered House Resolution No. 277, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pouche offered House Resolution No. 278, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gross offered House Resolution No. 279, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barnett offered House Resolution No. 280, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears offered House Resolution No. 281, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 282, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 283, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Bartelsmeyer and Gaskill offered House Resolution No. 284, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 285, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1473 through **HB 1495** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **(By Consent) HB 846**, begs leave to report that it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 904, 788 and 966**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HBs 800, 812, 817 and 821**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1249**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

PERFECTION OF HOUSE BILL

HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202, relating to maternity benefits, was taken up by Representative Kelly (27).

Representative Kelly (27) offered **HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202**.

Representative Kelly (27) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills 1069, 794, 807, 936, 1128, 1153 and 1202, section 376.1210, page 7, line 8 from the top of the page, by inserting the word **"similar"** after the word **"any"**

On motion of Representative Kelly (27), House Amendment No. 1 was adopted.

Representative Lumpe offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills 1069, 794, 807, 936, 1128, 1153 and 1202, section 376.1210, page 5, lines 8-12 from the top of said page, by deleting all of said lines and inserting:

(1) A shorter hospital stay meets with the approval of the attending physician after consulting with the mother. The physician's approval to discharge shall be made in accordance with the most current version of the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists, or similar guidelines prepared by another nationally recognized medical organization; and

Further amend, page 6, lines 5-7 from the top of said page, by deleting all of said lines and inserting:

laboratory. Such services shall be in accordance with the medical criteria outlined in the most current version of the "Guidelines for Perinatal Care" prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists, or similar guidelines prepared by another nationally recognized medical organization. Any

On motion of Representative Lumpe, House Amendment No. 2 was adopted.

On motion of Representative Kelly (27), **HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202, as amended,** was adopted.

On motion of Representative Kelly (27), **HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202, as amended,** was ordered perfected and printed.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Ostmann	Overschmidt	Pouche
Prost	Pryor	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

ABSENT WITH LEAVE: 007

Barnes	Hagan-Harrell	Hoppe	Mays 50	Oetting
Pauley	Tate			

VACANCY: 002

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 54 - State Parks, Recreation and Natural Resources

HJR 55 - Governmental Organization and Review

HJR 56 - State Parks, Recreation and Natural Resources

HJR 57 - Ways and Means

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1417 - Judiciary and Ethics

HB 1418 - Tourism, Recreation and Cultural Affairs

HB 1419 - Correctional and State Institutions

HB 1420 - Agriculture

HB 1421 - Education - Elementary and Secondary

HB 1422 - Professional Registration and Licensing

HB 1423 - Civil and Criminal Law

HB 1424 - Social Services, Medicaid and the Elderly

HB 1425 - Commerce

HB 1426 - Public Health and Safety

HB 1427 - Education - Elementary and Secondary

HB 1428 - Professional Registration and Licensing

HB 1429 - Judiciary and Ethics

HB 1430 - Civil and Criminal Law

HB 1431 - Correctional and State Institutions

HB 1432 - Banks and Financial Institutions

HB 1433 - Governmental Organization and Review

HB 1434 - Ways and Means

HB 1435 - Miscellaneous Bills and Resolutions

HB 1436 - Children, Youth and Families

HB 1437 - Education - Elementary and Secondary

HB 1438 - Civil and Criminal Law

HB 1440 - Consumer Protection

HB 1442 - Insurance

HB 1443 - Miscellaneous Bills and Resolutions

HB 1444 - Governmental Organization and Review

HB 1445 - Budget

HB 1446 - Education - Elementary and Secondary

HB 1447 - Insurance

HB 1448 - Insurance

HB 1449 - Agriculture

HB 1450 - Energy and Environment

HB 1451 - State Parks, Recreation and Natural Resources

HB 1452 - Commerce

HB 1453 - Motor Vehicle and Traffic Regulations

HB 1454 - Children, Youth and Families

HB 1455 - Children, Youth and Families

HB 1456 - Local Government and Related Matters

HB 1457 - Budget

HB 1458 - Children, Youth and Families

HB 1459 - Agri-Business

HB 1460 - Local Government and Related Matters

HB 1462 - Education - Elementary and Secondary

HB 1463 - Education - Elementary and Secondary

HB 1464 - Civil and Criminal law

HB 1465 - Judiciary and Ethics

HB 1466 - Ways and Means

HB 1467 - Budget

HB 1468 - Judiciary and Ethics

HB 1469 - Governmental Organization and Review

HB 1470 - Commerce

HB 1471 - Education - Higher

HB 1472 - Insurance

HB 1473 - Professional Registration and Licensing

HB 1474 - Public Health and Safety

HB 1475 - Insurance

HB 1476 - Transportation

HB 1477 - Elections

HB 1478 - Transportation

HB 1479 - Local Government and Related Matters

HB 1480 - Motor Vehicle and Traffic Regulations

HB 1481 - Education - Elementary and Secondary

HB 1482 - Local Governmental and Related Matters

HB 1483 - Civil and Criminal Law

HB 1484 - Public Health and Safety

HB 1485 - Motor Vehicle and Traffic Regulations

HB 1486 - Municipal Corporations

HB 1487 - Children, Youth and Families

HB 1488 - Retirement

HB 1489 - Elections

HB 1490 - Correctional and State Institutions

HB 1491 - Correctional and State Institutions

HB 1492 - Public Health and Safety

HB 1493 - Governmental Organizational and Review

HB 1494 - Transportation

HB 1495 - Judiciary and Ethics

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1496, introduced by Representative Kissell, relating to certain escrow accounts.

HB 1497, introduced by Representative Pouche, relating to planning and zoning in certain counties.

HB 1498, introduced by Representative Pouche, relating to county commission duties.

HB 1499, introduced by Representative Pouche, relating to sewer district trustees.

HB 1500, introduced by Representatives Kelly (27), Murray (69) and Witt, et al, relating to the local government employees' retirement system.

HB 1501, introduced by Representative Fitzwater, et al, relating to special education due-process hearings.

HB 1502, introduced by Representative Broach, et al, relating to tax increment allocation financing.

HB 1503, introduced by Representatives Koller and Wannenmacher, et al, relating to roadside signs.

HB 1504, introduced by Representatives Schwab and Kasten, relating to county coroners and medical examiners.

HB 1505, introduced by Representatives Hartzler (124) and Backer, et al, relating to adoption.

WITHDRAWAL OF HOUSE BILL

February 12, 1996

Mrs. Joan Branson

Asst. Chief Clerk

House of Representatives

Capitol Bldg.

Jefferson City, MO 65101

Dear Mrs. Branson:

This will inform you that I wish to withdraw **House Bill No. 862**.

Respectfully submitted,

/s/ Rep. Mary Groves Bland

District #43

The following member's presence was noted: Hoppe.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 13, 1996.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Third Day, Thursday, February 8, 1996, Pages 6 and 7, roll call, by showing Representative Gratz voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Wednesday, February 14, 1996. Room 414 upon morning adjournment.

AGRICULTURE

Wednesday, February 14, 1996, 3:00 pm. Hearing Rooms 3 & 4. Executive Session.

To be considered - HB 1205, HB 1212, HB 1214, HB 1305, HCR 4

APPROPRIATIONS - GENERAL ADMINISTRATION & TRANSPORTATION

Tuesday, February 13, 1996. Hearing Room 9 fifteen minutes after morning adjournment.

To be considered - HB 1013

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Tuesday, February 13, 1996. Hearing Room 5 upon adjournment. Mark-up and possible executive session. Dept.of Health, Dept. of Mental Health.

APPROPRIATIONS - HEALTH AND MENTAL HEALTH

Wednesday, February 14, 1996. Hearing Room 5 upon adjournment. Mark-up and possible executive session. Dept.of Health, Dept. of Mental Health.

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 13, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1009

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Wednesday, February 14, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment. Mark-up

To be considered - HB 1011

BUDGET

Tuesday, February 13, 1996, 8:30 am. Hearing Room 9. Executive Session.

To be considered - HB 1380, HB 905

Twenty-fourth Day-Monday, February 12, 1996

BUDGET

Wednesday, February 14, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1001, HB 1002, HB 1003

BUDGET

Thursday, February 15, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1002, HB 1003

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 14, 1996, 8:00 am. Hearing Rooms 1 & 2. Possible Executive Session.

To be considered - HB 981, HB 1042, HB 1109, HB 1250, HB 1320

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 14, 1996, 7:30 pm. Hearing Room 8.

To be considered - HB 1403

CIVIL AND CRIMINAL LAW

Wednesday, February 14, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow.

To be considered - HB 1168, HB 1199, HB 993, HB 1178, HB 1357, HB 1393,

HB 887, HB 1304

COMMERCE

Wednesday, February 14, 1996, 9:00 pm. Hearing Room 9. Executive Session may follow.

To be considered - HB 1296, HB 1237, HB 1371, HB 1102

CONSUMER PROTECTION

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 1 & 2.

To be considered - HB 949, HB 843, HB 1394, HB 786, HB 1372

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 9.

To be considered - HB 1082, HB 1257

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 8. Executive Session to follow.

To be considered - HB 1310, HB 902, HB 1336, SB 687

EDUCATION - HIGHER

Wednesday, February 14, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 1414, HB 1364, HB 860, HB 1373

ELECTIONS

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 7. Executive Session may follow.

To be considered - HB 1335, HB 1184, HB 1334, HB 1401

FEES AND SALARIES

Wednesday, February 14, 1996, 3:00 pm. Hearing Room 1. Executive Session to follow.

To be considered - HB 1190, HB 1356, HB 1274

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 14, 1996, 8:00 am. Hearing Room 8. Executive Session to follow.

To be considered - HB 994, HB 1229, HB 1340

INSURANCE

Tuesday, February 13, 1996, 8:00 am. Hearing Room 8.

To be considered - HB 1119, HB 1060, HB 1062, HB 1074, HB 1289

JUDICIARY AND ETHICS

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 5. Executive Session may follow.

To be considered - HB 1350, HB 1360, HB 1361, HB 953

LABOR

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 1154, HB 1265, HB 874

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 3. Executive Session to follow.

To be considered - HB 1222, HB 1330, HB 1346, HB 898

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 14, 1996, 8:30 am. Hearing Room 7. Amended Notice.

To be considered - HR 199, HB 1379, HB 1443, HB 1435

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 7. Amended Notice.

To be considered - HB 1095, HB 1142, HB 1163, HB 1174, HB 1196, HB 1309

MUNICIPAL CORPORATIONS

Wednesday, February 14, 1996, 3:00 pm. Hearing Room 7. Executive Session.

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 14, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 1352, HB 1353, HB 1035, HB 1070, HB 1100, HB 1144

PUBLIC HEALTH AND SAFETY

Tuesday, February 13, 1996, 3:00 pm. Hearing Room 9. Amended Notice.

To be considered - HB 802, HB 885, HB 1026, HB 1081, HB 1247

RETIREMENT

Wednesday, February 14, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1339, HB 1355, HB 1398

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 5. Executive Session to follow.

To be considered - SB 575

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, February 14, 1996, 3:00 pm. Hearing Room 2.

To be considered - HB 1248

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Tuesday, February 13, 1996, 1:30 pm. Senate Committee Room 1. Contested Fiscal Notes.

Amended Notice

To be considered - SB 641, HB 1097

TRAVEL COMMITTEE

Wednesday, February 14, 1996, 9:00 am. Hearing Room 5.

URBAN AFFAIRS

Tuesday, February 13, 1996, 8:00 pm. Hearing Room 2.

To be considered - HB 1140, HB 1267, HB 1410

WAYS AND MEANS

Tuesday, February 13, 1996, 3:00 pm. Hearing Rooms 1 & 2. Amended Notice.

Executive Session.

To be considered - HB 1155, HB 1158, HB 1219, HB 834, HB 987, HB 1147, HB 969, HB 947

HOUSE CALENDAR

TWENTY-FIFTH DAY, TUESDAY, FEBRUARY 13, 1996

HOUSE BILLS FOR SECOND READING

HB 1496 through HB 1505

HOUSE BILLS FOR PERFECTION

HCS HB 1146 - Backer

HB 879, HCA 1 and HCA 2 - Kreider & Hosmer

HB 1208 - Backer

HB 1098 - Goward

HB 974, HCA 1 - Crump (152)

HCS HB 849 - Tate

HCS HB 895 - Ostmann

HCS HB 844 & 1059 - Auer & Gunn

HCS HB 1259 - Williams (121)

HB 1041, HCA 1 - McBride

HB 866 - Overschmidt

HCS HB 781 - Stokan

HCS HB 907 & 910 - Treadway

HCS HB 991 - Koller

HCS HB 818 - Kreider & Witt

HOUSE BILLS FOR THIRD READING

HB 905, (Budget Fiscal 2-7-96) - Rizzo

HCS HB 904,788 & 966 - Lakin

HOUSE BILL FOR THIRD READING - CONSENT

HB 846 - Koller

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

TWENTY-FIFTH DAY, Tuesday, February 13, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jack Winslow, Joshua House, Brandon Jennings, William O'Malley, Cory Sheeley, Nick Perna, Greg Perna, Donnie Ferguson, Sarah Lamb, Erin Branco, Jon Guilliams, Julie Knoop, Jennifer Scott, Darren Koelling, Seamus McGinley, Michelle Sluhan, Jon Marshall, Matt Callahan, Jason Santos, Rachel Penn, Stacey Luck, Matt McClennan and Genelle Green.

The Journal of the twenty-fourth day was approved as corrected.

RESOLUTIONS

Representative Elliott offered House Resolution No. 286, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution Nos. 287 through 289, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 290, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Morgan and Franklin offered House Resolution No. 291, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 292, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear offered House Resolution Nos. 293 through 295, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Oetting offered House Resolution Nos. 296 and 297, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Carter, joined by the Missouri Legislative Black Caucus, offered House Resolution No. 298, which was referred to the Committee on Miscellaneous Bills and Resolutions.

THIRD READING OF HOUSE BILL CONSENT

HB 846, relating to financial disclosure, was taken up by Representative Koller.

On motion of Representative Koller, **HB 846** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 001

Auer

ABSENT WITH LEAVE: 005

Barnes	Canuteson	Jacob	Kelley 47	Pauley

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Thomason (163), title to the bill was agreedr to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL

HCS HBs 904, 788 and 966, relating to child immunizations, was taken up by Representative Lakin.

On motion of Representative Lakin, **HCS HBs 904, 788 and 966** was read the third time and passed by the following vote:

AYES: 137

Akin	Auer	Backer	Barnett 4	Bartelsmeyer
Bennett 15	Bland	Bonner	Boucher	Bray

Broach	Brown	Burton	Canuteson	Carter
Champion	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Edwards-Pavia	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Kasten	Kauffman	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Levin
Liese	Linton	Lograsso	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 018

Alter	Ballard	Boatright	Childers	Elliott
Hall	Hohulin	Howerton	Keeven	Legan
Long	Loudon	Marble	Marshall 133	Murray 135
Robirds	Scott	Steen		

PRESENT: 000

Twenty-fifth Day-Tuesday, February 13, 1996

ABSENT WITH LEAVE: 006

Barnes	Donovan	Harlan	Jacob	Kelley 47

Pauley

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1146, relating to state personnel, was taken up by Representative Backer.

On motion of Representative Backer, **HCS HB 1146** was adopted.

On motion of Representative Backer, **HCS HB 1146** was ordered perfected and printed.

HB 1208, relating to state employees benefits union, was taken up by Representative Backer.

On motion of Representative Backer, **HB 1208** was ordered perfected and printed.

HB 1098, relating to cigarette/tobacco tax, was taken up by Representative Goward.

On motion of Representative Goward, **HB 1098** was ordered perfected and printed.

HB 974, with House Committee Amendment No. 1, relating to sex offenders, was taken up by Representative

Crump (152).

On motion of Representative Crump (152), House Committee Amendment No. 1 was adopted.

Representative Gross offered House Amendment No. 1.

On motion of Representative Gross, House Amendment No. 1 was adopted by the following vote:

AYES: 119

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Brown	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Daniels 41	Davis	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 133	May 108	McBride	McClelland	Mitchell
Montgomery	Murphy	Murray 135	Naeger	Nordwald
O'Connor	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Schwab
Scott	Sears 1	Secrest	Shields	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Troupe	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 029

Bland	Bray	Carter	Clayton	Days
Farmer	Fitzwater	Goward	Green	Gunn
Hagan-Harrell	Kelly 27	Klumb	Marshall 26	Mays 50
McLuckie	Morgan	Murray 69	O'Neill	O'Toole
Reynolds	Scheve	Schilling	Shear 83	Shelton 57
Skaggs	Tate	Van Zandt	Witt	

PRESENT: 001

Crump 152

ABSENT WITH LEAVE: 012

Auer	Barnes	Broach	Daniel 42	Harlan
Heckemeyer	Jacob	Keeven	Kelley 47	Pauley
Sheldon 104	Thompson 37			

VACANCY: 002

Representative Crump (152) offered House Amendment No. 2.

On motion of Representative Crump (152), House Amendment No. 2 was adopted.

Representative Marble offered House Amendment No. 3.

Representative Crump (152) raised a point of order that House Amendment No. 3 is amending previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Crump (152), **HB 974, as amended,** was ordered perfected and printed.

HCS HB 849, relating to motor fuel merchandising practices, was taken up by Representative Tate.

Representative Tate offered House Amendment No. 1.

On motion of Representative Tate, House Amendment No. 1 was adopted.

HCS HB 849, as amended, was laid over.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, February 14, 1996.

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House Journal

Second Regular Session, 88th General Assembly

TWENTY-SIXTH DAY, Wednesday, February 14, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"Beloved, let us love one another, because love is from God; everyone who loves is born of God and knows God. Whoever does not love, does not know God, for God is love." (I John 4:7-8, NRSV)

Gracious God--our Creator and our Teacher, as we observe this Valentine's Day--a day set aside to show special expressions of love, help us remember the man whose life of dedication and sacrifice set an example of true love. St. Valentine--a compassionate and dedicated 3rd century Roman physician, took your law of Love to heart as he treated his patients and when confronted with the demand to deny his faith, he chose to give up his life instead.

Let us stand as firmly in our convictions and our beliefs. As issues are debated and negotiations made, as arguments ensue and tempers flare, as laws are passed and defeated, help us remember the supreme law of love--love not only for family and friends, but love for those who offend us, those who think differently than we do, those whose names we do not know and whose lives seem remote from ours--all your children, each deserving of respect and love.

Be now with those who labor here, that their work might be blessed and may the deeds done and the actions taken benefit the citizens of this state. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lindsay Anderson, Kobby Crawford, Casey Dycus and Brian Myers.

The Journal of the twenty-fifth day was approved as corrected.

RESOLUTIONS

Representative McBride offered House Resolution No. 299, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foley offered House Resolution No. 300, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pauley offered House Resolution No. 301, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Canuteson offered House Resolution No. 302, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Reynolds and Green offered House Resolution No. 303, which was referred to the Committee

on Miscellaneous Bills and Resolutions.

Representative Auer offered House Resolution No. 304, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Thomason (163) offered House Concurrent Resolution No. 6.

SECOND READING OF HOUSE BILLS

HB 1506 through **HB 1524** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 974**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1069, 794, 807, 1128, 1153 and 1202, HB 1098, HB 1208 and HCS HB 1146**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 226 - Municipal Corporations

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 5 - Urban Affairs

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202 - Budget (Fiscal Note)

HB 974 - Budget (Fiscal Note)

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 540 - Budget

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303 and 304**, begs leave to report it has examined the same and recommends that they **Do Pass.**

Committee on Municipal Corporations, Chairman Shelton (57) reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HB 1243**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1243, Page 4, Section 226.540, Line 103, by adding after the period (.) on said line the following:

"Such orders, ordinances, rules or regulations shall not prohibit the outdoor advertising of any product or activity which is legal within this state when such outdoor advertising complies with all other provisions of this act."

Committee on Science, Technology and Critical Issues, Chairman Smith reporting:

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **SCS SB 857**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **HB 1169 and HB 1271**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **HB 1301 and HB 1298**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 575**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Workers' Compensation and Employment Security, Chairman O'Neill reporting:

Mr. Speaker: Your Committee on Workers' Compensation and Employment Security, to which was referred **HB 1313**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Workers' Compensation and Employment Security, to which was referred **HB 1368**, begs leave to report it has examined the same and recommends that it **Do Pass.**

PERFECTION OF HOUSE BILLS

HCS HB 849, as amended, relating to motor fuel merchandising practices, was again taken up by Representative Tate.

Representative Gunn offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 849, page 2, section 416.640, lines 1 through 3, by deleting all said lines and substituting therefor the following:

416.640. In any action brought pursuant to sections 416.600 to 416.640, the burden of proof as to all elements shall remain with the attorney general, prosecuting attorney or plaintiff.

Representative Gunn moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Levin offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 849, page 2, section 416.640, line 3, by inserting after the word "**therefor**" the following:

"**, which shall note all discount**s".

On motion of Representative Levin, House Amendment No. 3 was adopted.

On motion of Representative Tate, **HCS HB 849, as amended,** was adopted.

On motion of Representative Tate, **HCS HB 849, as amended,** was ordered perfected and printed.

HB 879, with House Committee Amendment No. 1 and House Committee Amendment No. 2, relating to local building codes, was taken up by Representative Kreider.

Representative Kreider offered **HS HB 879.**

Representative Childers offered House Amendment No. 1.

Representative Hickey raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Legan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 879, page 3, section 3, line 19, by striking the word "Five" and inserting in lieu of the word "ten"

Representative Childers offered House Substitute Amendment No. 1 for House Amendment No. 1.

*House Substitute Amendment No.*1
for
House Amendment No. 1

AMEND House Substitute for House Bill No. 879, page 1, section 1, line 2, by inserting before the word "adopt"on said line the following "submit to the voter to reject or" and further amend said bill, Page 3, Section 3.1., Line 1, by deleting the words "each and every county" and place in lieu thereof the words "any county of the third class" and further amend said bill and section, line 13, by inserting after the word "title" on said line the following "with a detailed summary" and further amend said bill and section, line 15, by inserting after the word "county" on said line "but no less than sixty days previous to such action" and further amend said bill and section, line 19, by deleting the word "five" and placing in lieu thereof the word "ten"

Representative Hosmer requested a division of the question.

*House Substitute Amendment No.*1
for
House Amendment No. 1

Part I

AMEND House Substitute for House Bill No. 879, page 1, section 1, line 2, by inserting before the word "adopt"on said line the following "submit to the voter to reject or" and further amend said bill, Page 3, Section 3.1., Line 1, by deleting the words "each and every county" and place in lieu thereof the words "any county of the third class" and further amend said bill and section, line 13, by inserting after the word "title" on said line the following "with a detailed summary" and further amend said bill and section, line 15, by inserting after the word "county" on said line "but no less than sixty days previous to such action"

Part II

and further amend said bill and section, line 19, by deleting the word "five" and placing in lieu thereof the word "ten"

Representative Childers moved that PART I of House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 051

Ballard	Barnett 4	Bartelsmeyer	Boatright	Broach
Burton	Childers	Chrismer	Cierpiot	Elliott
Enz	Evans	Foster	Gaskill	Graham
Hall	Hand	Hartzler 123	Hartzler 124	Hegeman
Hohulin	Howerton	Kasten	Keeven	Kelley 47
Legan	Linton	Lograsso	Loudon	Marble
Marshall 133	McClelland	Naeger	Nordwald	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Sallee	Scott	Secrest	Shields	Sombart
Steen	Summers	Surface	Vogel	Whiteside

Wieland

NOES: 103

Akin	Alter	Auer	Backer	Bennett
15				
Bland	Bonner	Boucher	Bray	Brown
Canuteson	Carter	Champion	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels
41				
Davis	Days	Donovan	Dougherty	Edwards-
Pavia				
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Franklin	Froelker	Garnett	Gibbons	Goward
Gratz	Green	Griesheimer	Gross	Harlan
Heckemeyer	Hendrickson	Hickey	Hoppe	Hosmer
Jacob	Kauffman	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Levin	Liese
Long	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Mitchell	
Montgomery				
Morgan	Murphy	Murray 69	Murray 135	O'Connor
O'Toole	Oetting	Overschmidt	Prost	Reynolds
Ribaudo	Rizzo	Ross	Scheve	Schilling

Schwab	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Wannenmacher 159	Ward	Wiggins	Williams 121	Williams
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Ford	Gunn	Hagan-Harrell	Klumb
O'Neill	Pauley			

VACANCY: 002

On motion of Representative Childers, PART II of House Substitute Amendment No. 1 for House Amendment No. 1 was adopted.

Representative Legan offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Bill No. 879, page 1, section 1, line 2, by inserting before the word "adopt" on said line the following "submit to the voter to reject" and further amend said bill, page 3, and further amend said bill and section, line 13, by inserting after the word "title" or said line the following "with a detailed summary" and further amend said bill and section, line 15, by inserting after the word "county" on said line "but no less than sixty days previous to such action"

Representative Hosmer raised a point of order that House Amendment No. 2 is dilatory.

Representative Witt raised a point of order that House Amendment No. 2 is amending previously amended material.

The Chair ruled the points of order not well taken.

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Substitute for House Bill No. 879, page 1, section 1, line 2, by inserting before the word "adopt" on said line the following "submit to the voter to reject" and further amend said bill, page 3, and further amend said bill and section, line 13, by inserting after the word "title" or said line the following "with a summary" and further amend said bill and section, line 15, by inserting after the word "county" on said line "but no less than thirty days previous to such action"

On motion of Representative Hosmer, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted.

Representative Nordwald offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Bill No. 879, page 5, section 6, line 10, by deleting first word, line 10, "exclusively" and substituting the word "predominately".

On motion of Representative Nordwald, House Amendment No. 3 was adopted.

Representative Edwards-Pavia offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Bill No. 879, page 5, section 5, line 5, by deleting the word "**reasonably**"

On motion of Representative Edwards-Pavia, House Amendment No. 4 was adopted.

Representative Childers offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Bill No. 879, page 5, section 7, line 19, by adding the following:

"Section 8. No building code included in this act shall apply to any owner built, owner occupied single family

residence which is located no less than 100 feet from the property line of said owner in counties of the 3rd class located adjoining the Arkansas State line and containing a corp of engineer lake with no less than 100 miles of shore line"

Representative Hohulin offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1
for
House Amendment No. 5

AMEND House Substitute for House Bill No. 879, page 5, section 7, line 19, by adding the following:

"Section 8. No building code included in this act shall apply to any owner built, owner occupied single family residence which is located no less than 100 feet from the property line of said owner in counties of the 3rd class located adjoining the Arkansas State line and containing a corp of engineer lake with no less than 100 miles of shore line and in 3rd class counties with a population of less than 10,000 inhabitants bordered by a state line, a first class county and 2 3rd class counties."

Representative Hohulin moved that House Substitute Amendment No. 1 for House Amendment No. 5 be adopted.

Which motion was defeated.

Representative Childers moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 057

Akin	Ballard	Barnett 4	Bartelsmeyer	Boatright
Broach	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Elliott	Fiebelman	Foster
Franklin	Froelker	Garnett	Gaskill	Graham
Gratz	Hall	Hand	Hartzler 124	Hegeman
Hohulin	Howerton	Kasten	Keeven	Kelley 47
Leake	Legan	Linton	Lograsso	Loudon
Marble	Marshall 133	Montgomery	Naeger	Ostmann
Pouche	Pryor	Robirds	Ross	Sallee
Schwab	Sears 1	Secrest	Shields	Sombart
Steen	Summers	Surface	Vogel	Whiteside
Wieland	Wiggins			

NOES: 088

Alter	Auer	Backer	Bennett 15	Bland
Bonner	Boucher	Bray	Brown	Canuteson
Carter	Clayton	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Evans	Farmer	Farnen
Fitzwater	Foley	Gibbons	Goward	Green
Griesheimer	Gross	Harlan	Hartzler 123	Heckemeyer
Hendrickson	Hickey	Hoppe	Hosmer	Jacob
Kauffman	Kelly 27	Kissell	Koller	Kreider
Levin	Liese	Long	Luetkenhaus	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell 135	Morgan	Murphy	Murray 69	Murray
Nordwald	O'Connor	O'Toole	Oetting	Overschmidt
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Scheve	Schilling	Sheldon 104	Shelton 57	Skaggs
Smith 163	Stokan	Stoll	Tate	Thomason
Treadway 159	Van Zandt	Wannenmacher	Williams 121	Williams
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 016

Barnes	Daniel 42	Ford	Gunn	Hagan-Harrell
Klumb	Lakin	Lumpe	O'Neill	Pauley
Prost	Scott	Shear 83	Thompson 37	Troupe

Ward

VACANCY: 002

Representative Shields offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Bill No. 879, page 3, section 3.1, line 9, by adding after the word enforce the following "all or part of"

On motion of Representative Shields, House Amendment No. 6 was adopted by the following vote:

AYES: 090

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Boucher	Broach
Brown	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Crump 152	Daniels 41
Elliott	Enz	Evans	Farmer	Foster
Froelker	Gaskill	Gibbons	Goward	Graham
Gratz	Griesheimer	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Hoppe
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Koller	Kreider	Legan	Linton	Lograsso
Long	Marble	Marshall 26	Marshall 133	Mays 50
McBride	McClelland	Mitchell	Murphy	Murray 135
Naeger	Nordwald	Oetting	Ostmann	Overschmidt
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Secrest	Shields
Smith	Sombart	Steen	Summers	Surface
Tate	Thomason 163	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Mr. Speaker

NOES: 052

Auer	Bland	Bonner	Bray	Canuteson
Carter	Clayton	Copeland	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Green	Gross
Heckemeyer	Hickey	Hosmer	Jacob	Kelly 27
Kissell	Leake	Levin	Liese	Luetkenhaus
Lumpe	May 108	McLuckie	Montgomery	Morgan
Murray 69	O'Connor	O'Toole	Reynolds	Ribaudo
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Stokan	Stoll	Treadway
Van Zandt	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 019

Barnes	Daniel 42	Ford	Garnett	Gunn
Hagan-Harrell	Harlan	Klumb	Lakin	Loudon
O'Neill	Pauley	Prost	Scott	Skaggs
Thompson 37	Troupe	Ward	Witt	

VACANCY: 002

Representative Hohulin offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Bill No. 879, page 5, section 6, line 13, by deleting the period on said line and adding the following unless said habitats is to be built by the inhabitant.

Representative Hosmer raised a point of order that House Amendment No. 7 is dilatory.

The Chair ruled the point of order untimely.

Representative Hohulin moved that House Amendment No. 7 be adopted.

Which motion was defeated.

On motion of Representative Kreider, **HS HB 879, as amended,** was adopted.

On motion of Representative Kreider, **HS HB 879, as amended,** was ordered perfected and printed.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1525, introduced by Representative Mays (50), relating to certain officers of certain cities.

HB 1526, introduced by Representative Crum (112), relating to driving while intoxicated.

HB 1527, introduced by Representatives Van Zandt and Rizzo, relating to emergency services.

HB 1528, introduced by Representative Pouche, relating to the number of jurors required in a civil trial.

HB 1529, introduced by Representatives Hartzler (124), Foster and Koller, relating to public officers and employees.

HB 1530, introduced by Representatives Loudon and Troupe, relating to providers of nutritional information.

HB 1531, introduced by Representative Schwab, relating to school bus inspections.

HB 1532, introduced by Representative Franklin, et al, relating to certain state employees.

HB 1533, introduced by Representative Ostmann, relating to agency reporting requirements.

HB 1534, introduced by Representative Murray (135), et al, relating to the tort victims' compensation fund.

HB 1535, introduced by Representative Kissell, relating to the procedural due process rights of certain law enforcement officials.

HB 1536, introduced by Representative Mays (50), relating to the gaming commission.

HB 1537, introduced by Representative Treadway, relating to professional counselors.

HB 1538, introduced by Representatives Crum (112) and Long, relating to compensation for county clerks for performing certain duties.

HB 1539, introduced by Representative O'Connor, relating to the regulation of the practice of dietics.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1014**, entitled:

An Act to appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 1996.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Substitute Amendment No. 1 for Senate Amendment No. 3 and Senate Amendment No. 4.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Bill No. 1014, Page 4, Section 14.045, Line 8, by deleting said line and inserting in lieu thereof the following line:

"From Youth Opportunities and Violence Prevention Fund ..... 1 E"

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Bill No. 1014, Page 7, Section 14.100, Line 5, by deleting the number "477,933" and inserting in lieu thereof the number "460,133" and further amend said section, line 6 by deleting the number "499,683" and inserting in lieu thereof the number "481,883".

Senate Substitute Amendment No. 1
for
Senate Amendment No. 3

AMEND Senate Committee Substitute for House Bill No. 1014, Page 10, Section 14.165, by inserting immediately after said section the following new section:

"Section 14.167. To the Attorney General for expenses related to Federal Clean Air Act cases Personal Service

and/or Expense and Equipment From General Revenue Fund
.....$8,186"

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Bill No. 1014, Page 4, Section 14.045, Line 7, by deleting said line and inserting in lieu thereof the following new line "by Section 620.1100 RSMo"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #2 SS HB 1047**, entitled:

An Act to repeal sections 301.150, 302.301, 304.012, 304.015, 304.016, 304.017, 304.019, 304.023, 304.024, 304.026, 304.044, 304.075, 304.140, 304.160, 304.220, 304.250, 304.271, 304.281, 304.301, 304.341, 304.351, 307.010, 307.040, 307.045, 307.055, 307.060, 307.065, 307.070, 307.075, 307.080, 307.085, 307.090, 307.095, 307.100, 307.105, 307.110, 307.115, 307.122, 307.125, 307.127, 307.155, 307.170, 307.171, 307.195, 307.350, 307.366, 307.380, 544.216, 544.665 and 575.150 RSMo 1994, and sections 302.020, 304.009, 304.010 and 304.022, RSMo Supp. 1995, relating to penalties for violation of motor vehicle laws, and to enact in lieu thereof fifty-three new sections relating to the same subject, with penalty provisions and with an emergency clause for certain sections.

With Senate Amendment No. 1.

Senate Amendment No. 1

AMEND Senate Substitute No. 2 for Senate Substitute for House Bill No. 1047, Page 7, Section 304.010.3, Line 22, by inserting after "state" on said line the words "and federal".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence were noted: Klumb, Ford and Gunn.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 15, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Fifth Day, Tuesday, February 13, 1996, pages 5 and 6, roll call, by showing Representatives Broach and Heckemeyer voting "aye" rather than "absent with leave".

Page 8, by inserting after line 14 the following:

The following member's presence was noted: Jacob.

COMMITTEE MEETINGS

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Thursday, February 15, 1996. Hearing Room 1 & 2 twenty-five minutes after

adjournment. Mark-up and possible executive session.

To be considered - HB 1011, HB 1009

BUDGET

Thursday, February 15, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1002, HB 1003

BUDGET

Monday, February 19, 1996, 1:00 pm. Hearing Room 9. Executive Session

To be considered - HB 1002, HB 1003

CONSUMER PROTECTION

Thursday, February 15, 1996. Side gallery immediately upon adjournment.

Executive Session

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, February 15, 1996, 8:00 am. Hearing Rooms 3 & 4.

Executive Session

ENERGY AND ENVIRONMENT

Thursday, February 15, 1996, 8:00 am. Hearing Room 8.

Executive Session May Follow

To be considered - HB 1043, HB 1450

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 19, 1996, 2:00 pm. Hearing Room 7.

To be considered - HB 1131, HB 1295, Executive Session - HB 1115

GOVERNMENTAL ORGANIZATION AND REVIEW

Monday, February 19, 1996. Side gallery upon adjournment.

Executive session only.

INSURANCE

Thursday, February 15, 1996, 8:00 am. Hearing Room 5. Amended Notice

To be considered - HB 1262, HB 1263, HB 1116, HB 1395

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, February 15, 1996. Side gallery upon adjournment.

Executive Session

To be considered - HR 199, HB 1379, HB 1443, HB 1435

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 15, 1996, 9:30 am. Room 401. Executive Session

SUB-COMMITTEE ON ELEMENTARY & SECONDARY EDUCATION

Monday, February 19, 1996, 12:00 pm. Hearing room 5.

To be considered - SB 687

URBAN AFFAIRS

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 2.

Executive Session May Follow

To be considered - HB 1258, HCR 5

HOUSE CALENDAR

TWENTY-SEVENTH DAY, THURSDAY, FEBRUARY 15, 1996

HOUSE BILLS FOR SECOND READING

HB 1525 through HB 1539

HOUSE BILLS FOR PERFECTION

HCS HB 895 - Ostmann

HCS HB 844 & 1059 - Auer & Gunn

HCS HB 1259 - Williams (121)

HB 1041, HCA 1 - McBride

HB 866 - Overschmidt

HCS HB 781 - Stokan

HCS HB 907 & 910 - Treadway

HCS HB 991 - Koller

HCS HB 818 - Kreider & Witt

HB 1402 - Williams (121)

HB 1177, McClelland - Williams (159)

HCS HB 800, 812, 817 & 821 - Hosmer

HCS HB 1301 & 1298 - McLuckie

HB 1377 - Bland

HCS HB 1172 - Jacob

HCS HB 1249 - O'Toole

HB 992 - Harlan

HB 832, HCA 1 - Montgomery

HCS HB 945 - Smith

HB 782, HCA 1 - Stokan

HCS HB 980 - Farnen

HCS HB 1169 & 1271 - Williams (121)

HCS HB 1099 - Williams (159)

HB 1243, HCA 1 - Farmer

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 1313 - O'Neill

HOUSE BILLS FOR THIRD READING

HB 905, (Budget Fiscal 2-7-96) - Rizzo

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202,

(Budget Fiscal 2-14-96) - Kelly (27)

HCS HB 1146 - Backer

HB 1208 - Backer

HB 1098 - Goward

HB 974 - Crump (152) (Budget Fiscal 2-14-96)

SENATE BILLS FOR THIRD READING

HCS SB 575, E.C. - Williams (121)

SCS SB 857, E.C. - Smith

HOUSE BILLS WITH SENATE AMENDMENTS

SS#2 SS HB 1047, as amended E. C. - Thomason (163)

SCS HB 1014, as amended - Lumpe

COURTESY RESOLUTIONS

HR 264 - Sears (1)

HR 265 - Boucher

HR 266 - Sears (1)

HR 267 - Burton

HR 268 - Jacob

HR 269 - Graham

HR 270 - Sombart

HR 271 - Hagan-Harrell

HR 272 - Griesheimer

HR 273 - O'Toole

HR 274 - Shelton (57)

HR 275 - Heckemeyer

HR 276 - Thomason (163)

HR 277 - Pouche

HR 278 - Pouche

HR 279 - Gross

HR 280 - Barnett

HR 281 - Sears (1)

HR 282 - Gratz

HR 283 - Gratz

HR 284 - Bartelsmeyer

HR 285 - Boucher

HR 286 - Elliott

HR 287 - Pryor

HR 288 - Pryor

HR 289 - Pryor

HR 290 - Boucher

HR 291 - Morgan

HR 292 - Richardson

HR 293 - Shear (83)

HR 294 - Shear (83)

HR 295 - Shear (83)

HR 296 - Oetting

HR 297 - Oetting

HR 298 - Carter

HR 299 - McBride

HR 300 - Foley

HR 301 - Pauley

HR 302 - Canuteson

HR 303 - Reynolds

HR 304 - Auer

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House Journal

Second Regular Session, 88th General Assembly

TWENTY-SEVENTH DAY, Thursday, February 15, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Creator God, who made both night and day, we thank you for carrying us safely through the night and bringing us once again into the light of day. May we never forget that your hand guides the sun and the moon and the stars and your providence directs our lives.

We thank you today for everything which keeps us right when we are tempted to go wrong...

For those who set good examples for us;

For those who give us good advice, and call us to task when we need it;

For colleagues and friends who make us want to be better than we are;

For those who believe in us and trust us;

For the voice of conscience to warn us and awaken us to our responsibilities.

Lord, open our eyes and our ears today in this great place that we might truly hear each other -- to hear the good things and the bad, to hear the calls to justice and equity for all people, to hear the voice of the people of this state as they express their expectations. And then let us act in the light of conscience to do what is right and just. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jim Brown and Janice Chyi.

The Journal of the twenty-sixth day was approved as corrected.

RESOLUTIONS

Representative Sombart offered House Resolution No. 305.

Representative Marble, et al, offered House Resolution No. 306, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Franklin offered House Resolution No. 307, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Bartelsmeyer and Gaskill offered House Resolution No. 308, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 309, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution Nos. 310 and 311, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution Nos. 312 through 317, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sombart offered House Resolution No. 318, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution Nos. 319 through 324, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 264 through 304 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 264 through 304 were adopted.

COMMITTEE REPORT

Committee on Rules, Joint Rules & Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 879 and HCS HB 849**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

SECOND READING OF HOUSE BILLS

HB 1525 through **HB 1539** were read the second time.

HOUSE BILLS WITH SENATE AMENDMENTS

SS #2 SS HB 1047, as amended, relating to speed limits, was taken up by Representative Thomason (163).

Representative Thomason (163) moved that the House refuse to adopt **SS #2 SS HB 1047, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HB 1014, as amended, relating to appropriations, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **SCS HB 1014, as amended**, was adopted by the following vote:

AYES: 138

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Green
Griesheimer	Gross	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Lumpe
Marble	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway

Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 008

Akin	Evans	Hall	Hohulin	Linton
Loudon	Marshall 133	Murphy		

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Cierpiot	Copeland	Daniel 42	Ford
Goward	Gratz	Gunn	Hagan-Harrell	Klumb
Luetkenhaus	Pauley	Sallee	Schilling	Scott

VACANCY: 002

On motion of Representative Lumpe, **SCS HB 1014, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 142

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Garnett	Gibbons	Goward
Graham	Green	Griesheimer	Gross	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 009

Akin	Evans	Gaskill	Hall	Hohulin
Linton	Loudon	Marshall 133	Murphy	

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Ford	Froelker	Gratz	Gunn
Hagan-Harrell	Klumb	Pauley	Scott	Whiteside

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS

HCS HB 1146, relating to state personnel, was taken up by Representative Backer.

On motion of Representative Backer, **HCS HB 1146** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Green	Griesheimer	Gross	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Liese	Linton
Lograsso	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	
Overschmidt				
Pouche	Prost	Pryor	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason
163				
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr.
Speaker				

NOES: 002

Loudon	Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Ford	Gratz	Gunn	Hagan-Harrell
Klumb	Levin	Pauley	Scott	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

HB 1208, relating to state employee benefits, was taken up by Representative Backer.

On motion of Representative Backer, **HB 1208** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Boatright	Bonner	Boucher
Broach	Brown	Burton	Canuteson	Carter

Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Green	Griesheimer	Gross
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Reynolds	Ribaudo	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Bennett 15	Bland	Bray	Ford
Gratz	Gunn	Hagan-Harrell	Klumb	Lograsso
Pauley	Ridgeway	Scott		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HB 1098, relating to cigarette/tobacco tax, was taken up by Representative Goward.

On motion of Representative Goward, **HB 1098** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Green
Griesheimer	Gross	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton

Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Edwards-Pavia	Ford	Gratz	Gunn
Hagan-Harrell	Klumb	Pauley	Scott	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Sears (1), title to the bill was agreed to.

Representative Ward moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

HCS SB 575, relating to certificate of need, was taken up by Representative Williams (121).

On motion of Representative Williams (121), Rule 65 was suspended and **HCS SB 575** was adopted.

On motion of Representative Williams (121), **HCS SB 575** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Green	Griesheimer	Gross	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen

Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Ford	Gratz	Gunn	Hagan-Harrell
Kelly 27	Klumb	Nordwald	Pauley	Scott

Thompson 37

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bland	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Green	Griesheimer
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 005

Boatright	Gross	Hendrickson	Hohulin	Steen

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Bennett 15	Ford	Gratz	Gunn
Hagan-Harrell	Klumb	Lumpe	Pauley	Scott
Stoll	Thompson 37	Witt		

VACANCY: 002

On motion of Representative Hickey, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

SCS SB 857, relating to public school retirement system, was taken up by Representative Smith.

Representative Smith moved that Rule 65 be suspended and that **SCS SB 857** be truly agreed to and finally passed.

Representative Harlan requested a division of the question on the motion.

Part I -- **Rule 65** be suspended.

Part II -- **SCS SB 857** be truly agreed to and finally passed.

On motion of Representative Smith, Part I, the suspension of Rule 65, was adopted by the following vote:

AYES: 094

Auer	Backer	Bartelsmeyer	Bland	Bonner
Boucher	Broach	Canuteson	Childers	Cierpiot
Clayton	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Dougherty	Edwards-Pavia	Elliott	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Goward	Graham
Green	Gross	Hartzler 123	Heckemeyer	Hickey
Hosmer	Howerton	Jacob	Kelly 27	Kissell
Koller	Kreider	Leake	Legan	Long
Luetkenhaus	Marshall 26	Marshall 133	Mays 50	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Reynolds	Ribaudo
Richardson	Rizzo	Robirds	Sallee	Scheve
Sears 1	Sheldon 104	Shelton 57	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher 121	Ward	Whiteside	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 055

Akin	Alter	Ballard	Barnett 4	Bennett 15
Boatright	Bray	Brown	Burton	Carter
Champion	Chrismer	Cooper	Days	Donovan
Enz	Evans	Gaskill	Gibbons	Griesheimer
Hall	Hand	Harlan	Hartzler 124	Hegeman
Hendrickson	Hohulin	Hoppe	Kasten	Kauffman
Kelley 47	Lakin	Levin	Liese	Linton
Lograsso	Loudon	Lumpe	Marble	May 108
McBride	McClelland	Murray 135	Pouche	Pryor
Ridgeway	Ross	Schilling	Schwab	Secrest
Shear 83	Shields	Surface	Troupe	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 012

Barnes	Davis	Ford	Gratz	Gunn
Hagan-Harrell	Keeven	Klumb	Pauley	Prost
Scott	Thompson 37			

VACANCY: 002

On motion of Representative Smith, Part II was adopted and **SCS SB 857** was truly agreed to and finally passed by the following vote:

AYES: 133

Akin	Alter	Auer	Backer	Ballard

Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Green	Griesheimer	Gross
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Leake	Legan
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 26	Marshall 133	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pryor	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Sears 1	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 014

Bray	Days	Hall	Harlan	Hendrickson
Lakin	Levin	Liese	Lumpe	May 108
Murray 135	Pouche	Schilling	Shear 83	

PRESENT: 001

Secrest

ABSENT WITH LEAVE: 013

Barnes	Davis	Ford	Gratz	Gunn
Hagan-Harrell	Keeven	Klumb	Pauley	Prost
Scott	Thompson 37	Troupe		

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Carter	Childers	Chrismer	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Goward	Graham	Green	Griesheimer
Gross	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Lograsso	Long	Luetkenhaus	Marble
Marshall 26	Marshall 133	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Neill

O'Toole	Oetting	Ostmann	Overschmidt	Pryor
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Sears 1	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 019

Boatright	Bray	Champion	Days	Gibbons
Hall	Harlan	Hendrickson	Hohulin	Levin
Liese	Loudon	Lumpe	May 108	Murray 135
Pouche	Schilling	Shear 83	Wieland	

PRESENT: 001

Secrest

Twenty-seventh Day-Thursday, February 15, 1996

ABSENT WITH LEAVE: 014

Barnes	Cierpiot	Davis	Ford	Gratz
Gunn	Hagan-Harrell	Keeven	Klumb	Linton
Pauley	Prost	Scott	Thompson 37	

VACANCY: 002

On motion of Representative Auer, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 575** and has taken up and passed **HCS SB 575**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS #2 SS HB 1047, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Staples, McKenna, Caskey, Sims and Treppler.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS #2 SS HB 1047: Representatives Thomason (163), Prost, Witt, Ross and Barnett

COMMITTEE REPORTS

Committee on Agriculture, Chairmen Leake and Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1207, HB 1288, HB 1408 and HB 1409**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1237**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1113**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1185**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1241**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1361**, begs leave to report it has examined the same and recommends that it **Do Pass with House Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1361, Page 1, Section 476.690, Line 5, by inserting an opening bracket "[" immediately before the word "or"; and

Further amend said bill, Page 1, Section 476.690, Line 6, by deleting the following: "[later] **first,**" and inserting in lieu thereof the following: "later,]".

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 839**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 985**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 999**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 908**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 908, page 4, section 303.826, line 20, by deleting the words "signs a statement provided by" and inserting in lieu thereof the words "must demonstrate to"

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1149, HB 1150 and HB 1240**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1020, introduced by Representative Lumpe, relating to appropriate money for expenses, grants, equity contribution, debt service retirement, planning, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1540, introduced by Representatives Green and Donovan, et al, relating to the delivery of health care.

HB 1541, introduced by Representative Hagan-Harrell, relating to the Missouri state employees' retirement system.

HB 1542, introduced by Representative Shields, et al, relating to excursion gambling boat proceeds.

HB 1543, introduced by Representative Ribaudo, relating to authorize the governor of the state of Missouri to convey certain land of the department of mental health located in the city of St. Louis.

HB 1544, introduced by Representative Jacob, relating to the power of certain counties to pass ordinances.

HB 1545, introduced by Representative Auer, relating to insurance policies.

HB 1546, introduced by Representative Hohulin, relating to motor vehicle drivers' licenses.

HB 1547, introduced by Representative Reynolds, et al, relating to certain health care benefits.

HB 1548, introduced by Representative Chrismer, et al, relating to the housing development commission.

HB 1549, introduced by Representatives Summers and Oetting, et al, relating to the department of social services.

HB 1550, introduced by Representative Montgomery, et al, relating to limiting the number of bills introduced by members of the general assembly.

HB 1551, introduced by Representative Prost, relating to drivers' licenses.

HB 1552, introduced by Representative Luetkenhaus, relating to the passing of bad checks.

Twenty-seventh Day-Thursday, February 15, 1996

WITHDRAWAL OF HOUSE BILL

February 15, 1996

Honorable Steve Gaw, Speaker

House of Representatives

State Capitol, Room 308

Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to request that House Bill 921, relating to DWI legislation, be withdrawn.

HB 921 has been assigned to the Civil and Criminal Law Committee.

Thank you.

Respectfully submitted,

/s/ Rex Barnett

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 19, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Fifth Day, Tuesday, February 13, 1996, pages 5 and 6, roll call, by showing Representative Davis voting "no" rather than "yes".

Correct House Journal, Twenty-Sixth Day, Wednesday, February 14, 1996, page 12, after line 2, by inserting after the name "Ford", the name O'Neill.

Page 9, roll call, by showing Representative Loudon voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRI-BUSINESS

Monday, February 19, 1996, 8:00 pm. Hearing Room 8.

Executive Session May Follow.

To be considered - HB 1091

BUDGET

Monday, February 19, 1996, 1:00 pm. Hearing Room 9. Executive Session.

Amended Notice.

To be considered - HB 1002, HB 1003, HB 1445, HB 1069

BUDGET

Tuesday, February 20, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1002, HB 1003, HB 1004

CIVIL AND CRIMINAL LAW

Wednesday, February 21, 1996, 8:00 pm. Hearing Room 7. Executive Session Will Follow.

To be considered - HB 1357, HB 1170, HB 944, HJR 42

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 9. Executive Session May Follow.

To be considered - HB 1082, HB 1257, HB 1419

ELECTIONS

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 7. Executive Session May Follow.

To be considered - HB 1477, HB 1489

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, February 19, 1996, 2:00 pm. Hearing Room 7.

To be considered - HB 1131, HB 1295, Executive Session - HB 1115

FEES AND SALARIES

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 1. Executive Session Will Follow.

To be considered - HB 1286

GOVERNMENTAL ORGANIZATION AND REVIEW

Monday, February 19, 1996. Side gallery upon adjournment executive session only.

INSURANCE

Tuesday, February 20, 1996, 8:00 am. Hearing Room 8. Executive Session.

To be considered - HB 1395, HB 1137, HB 1261, HB 1447, HB 1448, HB 1475

JUDICIARY AND ETHICS

Tuesday, February 20, 1996, 3:00 pm. Hearing Room 5. Executive Session May Follow.

Democratic Policy Group Caucus

To be considered - HB 1314, HB 1429, HB 1030, HB 1367, HB 1378, HB 1465

LABOR

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 1134, HB 1075, HB 1073

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 20, 1996, 3:00 pm. Hearing Room 3. Executive Session

To be considered - HB 1479, HB 1460, HB 1482, HB 1287

Twenty-seventh Day-Thursday, February 15, 1996

MUNICIPAL CORPORATIONS

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 7. Executive Session Will Follow.

To be considered - HR 226

PUBLIC HEALTH AND SAFETY

Tuesday, February 20, 1996, 2:30 pm. Hearing Room 9. Executive Session to Follow.

To be considered - HB 1080, HB 1157, HB 1036, HB 1206, HB 1484

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 2 (subject to change). Executive Session to Follow.

To be considered - HB 1451, HJR 51, HJR 52, HJR 53, HJR 54, HJR 56

SUB-COMMITTEE ON ELEMENTARY & SECONDARY EDUCATION

Monday, February 19, 1996, 12:00 pm. Hearing room 5.

To be considered - SB 687

URBAN AFFAIRS

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 2. Executive Session May Follow.

To be considered - HB 1258, HCR 5

WAYS AND MEANS

Tuesday, February 20, 1996, 3:00 pm. Hearing Rooms 1 & 2. Executive Session.

To be considered - HB 1413, HB 1466, HB 1223, HB 1293, HB 1351

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, February 19, 1996, 8:00 pm. Hearing Room 5. Overview of SB 251 passed (1993), Dept. of Labor, Missouri Trial Attorneys

HOUSE CALENDAR

TWENTY-EIGHTH DAY, MONDAY, FEBRUARY 19, 1996

HOUSE BILLS FOR SECOND READING

HB 1540 through HB 1552

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1020

HOUSE BILLS FOR PERFECTION

HCS HB 895 - Ostmann

HCS HB 844 & 1059 - Auer & Gunn

HCS HB 1259 - Williams (121)

HB 1041, HCA 1 - McBride

HB 866 - Overschmidt

HCS HB 781 - Stokan

HCS HB 907 & 910 - Treadway

HCS HB 991 - Koller

HCS HB 818 - Kreider & Witt

HB 1402 - Williams (121)

HB 1177, McClelland - Williams (159)

HCS HB 800, 812, 817 & 821 - Hosmer

HCS HB 1301 & 1298 - McLuckie

HB 1377 - Bland

HCS HB 1172 - Jacob

HCS HB 1249 - O'Toole

HB 992 - Harlan

HB 832, HCA 1 - Montgomery

HCS HB 945 - Smith

HB 782, HCA 1 - Stokan

HCS HB 980 - Farnen

HCS HB 1169 & 1271, - Williams (121), Hosmer

HCS HB 1099 - Williams (159)

HB 1243, HCA 1 - Farmer

HCS HB 1363 - Mays (50)

HCS HB 1207, 1288, 1408 & 1409 - Tate

HB 985 - Franklin

HB 1368 - May (108)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1313 - O'Neill

HOUSE BILLS FOR THIRD READING

HB 905, (Budget Fiscal 2-7-96) - Rizzo

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202, (Budget Fiscal 2-14-96) - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 849 - Tate

HS HB 879 - Kreider

BILL IN CONFERENCE

SS #2 SS HB 1047, as amended, E.C. - Thomason (163)

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House Journal

Second Regular Session, 88th General Assembly

TWENTY-EIGHTH DAY, Monday, February 19, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Happy the nation whose God is Yahweh." (Ps. 33:12, JB)

On this day which honors Presidents Washington and Lincoln, we pray for the nation.

Gracious God, during this election year, we pray for a greater participation in the political process, and especially in the use of the ballot, by more of our citizens. We pray for whatever it takes from us to give leadership and shed the practices which add to the public's cynicism about elections and the political process. Let us undertake whatever reforms are needed in the financing of elections, and the access to our offices and services on the part of citizens and special interests. Rid us of naive reforms which only aggravate the problem, but let us be courageous about genuine reforms which might be painful to undertake, but which we know will be better for democracy in the long run. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lisa Crawford and Bryan Crawford.

The Journal of the twenty-seventh day was approved as corrected.

RESOLUTIONS

Representative Boucher offered House Resolution No. 325, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klumb offered House Resolution No. 326, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gaw and Marshall (26) offered House Resolution No. 327, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gaw and Marshall (26) offered House Resolution No. 328, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 329, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 330, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham offered House Resolution No. 331, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representatives Gratz and Vogel Resolution No. 332.

Representative Fitzwater offered House Resolution Nos. 333 and 334, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 335, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thomason (163) offered House Resolution No. 336, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Naeger offered House Resolution No. 337, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hendrickson and Enz offered House Resolution No. 338, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 339, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HB 1014**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Budget (Fiscal Note), Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 905**, begs leave to report it has examined the same and recommends that it **Do Pass.**

SECOND READING OF HOUSE BILL - APPROPRIATIONS

HB 1020 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1540 through **HB 1552** were read the second time.

PERFECTION OF HOUSE BILL

HCS HB 895, relating to school bus operator's permits, was taken up by Representative Ostmann.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 895, Page 4, Section 302.272, Line 62, by inserting after the period "." the following: "**The Missouri highway patrol in providing the record of clearance or denial of clearance for any such applicant is authorized to obtain from the Federal Bureau of Investigation any information which might aid the Missouri highway patrol in providing such record of clearance or denial of clearance.**".

On motion of Representative Franklin, House Amendment No. 1 was adopted.

Representative Dougherty offered House Amendment No. 2.

House Amendment No 2.

AMEND House Committee Substitute for House Bill No. 895, Page 2, Section 302.272, Line 1,by inserting an opening bracket "[" immediately before the word "owned"; and

Further amend said bill, Page 2, Section 302.272, Line 2, by inserting a closing bracket "]" immediately after the word "education"; and

Further amend said bill, Page 3, Section 302.272, Line 33, by deleting the word "three" and inserting in lieu thereof the following: "[three] **eleven**"; and

Further amend said bill, Page 4, Section 302.272, Line 49, by inserting an opening bracket "[" immediately before the word "any"; and

Further amend said bill, Page 4, Section 302.272, Line 50, by inserting a closing bracket "]" immediately after the semicolon ";".

Further amend said bill, Page 4, Section 302.272, Line 63, by deleting the word "thirty" and inserting in lieu thereof the following: "[thirty] **five**".

On motion of Representative Dougherty, House Amendment No. 2 was adopted.

Representative Hosmer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill 895, Section 302.272, Page 4, Line 66, by inserting after all of said line the following:

"304.075. **1.** Any motor vehicle which is not regularly being operated by a school district or under contract with a school district or by private schools for the transportation of school children shall not bear signs indicating that it is a school bus. When any person operating a school bus under contract with a school district uses it for purposes other than for the transportation of school children, he shall cover the signs thereon in such manner that it will not appear on the highways as a school bus. Any person violating this section is guilty of a misdemeanor.

2. Notwithstanding anything in subsection 1 of this section to the contrary, effective August 28, 1996, any new bus to be used to transport children to or from a federal Head Start program shall bear signs indicating that it is a school bus. Any bus that was used to transport children to or from a Head Start program prior to August 28, 1996, that continues to transport children to or from a Head Start program after such date may bear signs indicating that it is a school bus."; and

Further amend said bill by amending title and enacting clause accordingly.

On motion of Representative Hosmer, House Amendment No. 3 was adopted.

Representative Luetkenhaus offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 895, Page 2, Section 302.272, Line 8, by deleting the brackets "[ ]" around the word "seventy"; and

Further amend said bill, Page 2, Section 302.272, Line 9, by deleting all of said line and inserting in lieu thereof the following: "years of age **or seventy-five years of age only in such school districts that the school board votes to allow operators of school buses to be over seventy years of age, and if an applicant in such school district is over seventy years of age, such applicant**";

On motion of Representative Luetkenhaus, House Amendment No. 4 was adopted.

On motion of Representative Ostmann, **HCS HB 895, as amended,** was adopted.

On motion of Representative Ostmann, **HCS HB 895, as amended,** was ordered perfected and printed.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SCS HB 1014** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HB 1014** was delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **HCS SB 575 and SCS SB 857** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

THIRD READING OF HOUSE BILLS

HB 905, relating to department of aging, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HB 905** was read the third time and passed by the following vote:

AYES: 106

Auer	Backer	Ballard	Bartelsmeyer	Bennett
15				
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Childers	Clayton	Cooper

Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Garnett	Goward	Gratz
Green	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kasten	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Levin	Liese	Long	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McBride
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Overschmidt	Pauley	Prost	Reynolds
Rizzo	Ross	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Ward	Wiggins	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 049

Akin	Alter	Barnett 4	Boatright	Bray
Champion	Chrismer	Cierpiot	Elliott	Enz
Evans	Gaskill	Gibbons	Graham	Griesheimer
Hall	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kauffman	Keeven	Legan	Linton
Lograsso	Loudon	Marble	Marshall 133	McClelland
Murray 135	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Sallee	Schwab
Scott	Secrest	Shields	Steen	Surface
Vogel	Wannenmacher	Whiteside	Wieland	

PRESENT: 001

Bland

ABSENT WITH LEAVE: 005

Barnes	Ford	Froelker	Ribaudo	Williams 121

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

HCS HB 849, relating to motor fuel merchandising practices, was taken up by Representative Tate.

On motion of Representative Tate, **HCS HB 849** was read the third time and passed by the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler

124				
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelly 27	Kissell	Klumb	Kreider
Lakin	Leake	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	
McClelland				
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton
57				
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Tate	Thomason
163				
Treadway	Troupe	Van Zandt	Vogel	
Wannenmacher				
Ward	Whiteside	Wieland	Wiggins	Williams
159				
Witt	Wooten	Mr. Speaker		

NOES: 011

Bray	Burton	Farmer	Garnett	Keeven
Koller	Legan	Lumpe	McBride	Surface

Thompson 37

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Ford	Froelker	Goward	Kelley 47
Ribaudo	Williams 121			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

HS HB 879, relating to local building codes, was taken up by Representative Kreider.

On motion of Representative Kreider, **HS HB 879** was read the third time and passed by the following vote:

AYES: 123

Alter	Auer	Backer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Canuteson	Carter	Champion	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Farmer	Farnen	Fitzwater	Foley	Franklin
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	
Hendrickson				
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Kreider	Lakin	Leake	Legan	Levin
Liese	Long	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Ross	Scheve	Schilling	Schwab	Sears 1

Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Stokan	Stoll	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher 159	Ward	Wieland	Wiggins	Williams
Witt	Wooten	Mr. Speaker		

NOES: 032

Akin	Ballard	Barnett 4	Bartelsmeyer	Burton
Childers	Evans	Fiebelman	Foster	Garnett
Gaskill	Hall	Hegeman	Hohulin	Howerton
Keeven	Koller	Linton	Lograsso	Loudon
Marble	Marshall 133	Montgomery	Robirds	Sallee
Scott	Secrest	Sombart	Steen	Summers
Surface	Whiteside			

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Ford	Froelker	Luetkenhaus	Ribaudo

Williams 121

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HBs 844 and 1059, relating to Mutual Insurance Company, was taken up by Representative Auer.

On motion of Representative Auer, **HCS HBs 844 and 1059** was adopted.

On motion of Representative Auer, **HCS HBs 844 and 1059** was ordered perfected and printed.

HB 1041, with House Committee Amendment No. 1, relating to conservation commission areas, was taken up by Representative McBride.

On motion of Representative McBride, House Committee Amendment No. 1 was adopted.

On motion of Representative McBride, **HB 1041, as amended,** was ordered perfected and printed.

HB 866, relating to parkway commission, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HB 866** was ordered perfected and printed.

HCS HB 781, relating to Alzheimer's care disclosure, was taken up by Representative Stokan.

Representative Jacob offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 781, page 2, by adding one new section at the end as follows:

Section 5. Notwithstanding provisions of sections 197.300 to 197.365, RSMo, to the contrary, no certificate of need shall by required for any facility which is licensed pursuant to the provisions of chapter 198, RSMo, as a residential care facility I in which eight or fewer unrelated persons who are suffering from Alzheimers or related dementia reside.

Speaker Pro Tem Daniels assumed the Chair.

HCS HB 781, with House Amendment No. 1, pending, was laid over.

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 305 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1020 - Budget

HB 1439 - Motor Vehicle and Traffic Regulations

HB 1441 - Motor Vehicle and Traffic Regulations

HB 1461 - Workers' Compensation and Employment Security

HB 1496 - Banks and Financial Institutions

HB 1497 - Local Government and Related Matters

HB 1498 - Local Government and Related Matters

HB 1499 - Local Government and Related Matters

HB 1500 - Retirement

HB 1501 - Education - Elementary and Secondary

HB 1502 - Commerce

HB 1503 - Transportation

HB 1504 - Local Government and Related Matters

HB 1505 - Children, Youth and Families

HB 1506 - Motor Vehicle and Traffic Regulations

HB 1507 - Ways and Means

HB 1508 - Ways and Means

HB 1509 - Civil and Criminal Law

HB 1510 - Public Health and Safety

HB 1511 - Transportation

HB 1512 - Labor

HB 1513 - Insurance

HB 1514 - Education - Higher

HB 1515 - Professional Registration and Licensing

HB 1516 - Ways and Means

HB 1517 - Civil and Criminal Law

HB 1518 - Elections

HB 1519 - Civil and Criminal Law

HB 1520 - Governmental Organization and Review

HB 1521 - Motor Vehicle and Traffic Regulations

HB 1522 - Civil & Criminal Law

HB 1523 - Education - Elementary and Secondary

HB 1524 - Transportation

HB 1525 - Urban Affairs

HB 1526 - Civil and Criminal Law

HB 1527 - Public Health and Safety

HB 1528 - Judiciary and Ethics

HB 1529 - Elections

HB 1530 - Professional Registration and Licensing

HB 1531 - Motor Vehicle and Traffic Regulations

HB 1532 - Fees and Salaries

HB 1533 - Children, Youth and Families

HB 1534 - Judiciary and Ethics

HB 1535 - Labor

HB 1536 - Ways and Means

HB 1537 - Professional Registration and Licensing

HB 1538 - Fees and Salaries

HB 1539 - Professional Registration and Licensing

HB 1540 - Insurance

HB 1541 - Retirement

HB 1542 - Education - Elementary and Secondary

HB 1543 - Correctional and State Institutions

HB 1544 - Local Government and Related Matters

HB 1545 - Insurance

HB 1546 - Motor Vehicle and Traffic Regulations

HB 1547 - Insurance

HB 1548 - Urban Affairs

HB 1549 - Social Services, Medicaid and the Elderly

HB 1550 - Miscellaneous Bills and Resolutions

HB 1551 - Civil and Criminal Law

HB 1552 - Civil and Criminal Law

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1553, introduced by Representative Boucher, relating to motor vehicles.

HB 1554, introduced by Representative Richardson, relating to small claims court.

HB 1555, introduced by Representatives Linton and Hartzler (124), relating to education.

HB 1556, introduced by Representative Days, relating to voting machines.

HB 1557, introduced by Representative Days, et al, relating to election deadlines.

HB 1558, introduced by Representative Legan, relating to motor vehicles.

HB 1559, introduced by Representative Legan, relating to property taxation.

HB 1560, introduced by Representative Jacob, relating to conflicts of interest.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 565**, entitled:

An Act to repeal sections 292.630 and 701.450, RSMo Supp. 1995, relating to certain public facilities, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 582**, entitled:

An act to repeal sections 209.150 and 304.080, RSMo 1994, relating to certain persons with disabilities, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 605**, entitled:

An act to repeal section 177.086, RSMo 1994, relating to bidding for school construction, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 665**, entitled:

An act to repeal section 249.763, RSMo 1994, relating to sewer districts and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 668**, entitled:

An act to repeal sections 302.225 and 302.306, RSMo 1994, relating to certain traffic violations, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 677**, entitled:

An act to repeal section 304.200, RSMo Supp. 1995, relating to special permits for oversize loads, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 693**, entitled:

An act to repeal section 58.095, RSMo 1994, relating to county coroners, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 710**, entitled:

An act to repeal section 208.010, RSMo 1994, relating to public assistance benefits, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 721**, entitled:

An act to repeal section 217.364, RSMo 1994, relating to an offenders treatment program, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 728**, entitled:

An act to repeal section 210.861, RSMo Supp. 1995, relating to the community services children's fund, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 730**, entitled:

An act to repeal section 287.380, RSMo 1994, relating to workers' compensation and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 733**, entitled:

An act to repeal section 287.061, RSMo 1994, relating to workers' compensation and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 766**, entitled:

An act to repeal section 267.122, RSMo Supp. 1995, relating to animal health laboratory fees, and enacting one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 20, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Seventh Day, Thursday, February 15, 1996, pages 2 and 3, roll call, by showing Representatives Cierpiot and Sallee voting "aye" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representatives Bennett, Lograsso and Ridgeway voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representative Bennett voting "aye" rather than "absent with leave".

Twenty-eighth Day-Monday, February 19, 1996

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 21, 1996, 3:00 pm. Hearing Rooms 3 & 4. Executive Session. Amended Notice

To be considered - HB 1420, HB 1205, HB 1325, HCR 4

APPROPRIATIONS - SOCIAL SERVICES AND CORRECTIONS

Tuesday, February 20, 1996. Hearing Rooms 1 & 2 twenty-five minutes after adjournment.

Executive Session.

To be considered - HB 1011

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 9. Executive Session.

To be considered - HB 1432

BUDGET

Tuesday, February 20, 1996, 8:30 am. Hearing Room 9. Amended Notice

To be considered - HB 1004, HB 1005

BUDGET

Tuesday, February 20, 1996. Hearing Room 9 upon morning adjournment. Amended Notice.

To be considered - HB 1004, HB 1005, HB 1006

BUDGET

Wednesday, February 21, 1996, 8:30 am. Hearing Room 9

To be considered - HB 1005, HB 1006, HB 1007

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 21, 1996, 7:45 pm. Hearing Room 8.

To be considered - HB 1044, HB 1160, HB 1505, Executive Session - HB 855, Executive Session - HB 1044, Executive Session - HB 1189

CIVIL AND CRIMINAL LAW

Wednesday, February 21, 1996, 8:00 pm. Hearing Room 7. Executive Session to Follow.

Amended Notice.

To be considered - HB 1357, HB 1170, HB 944, HJR 42, HB 1430

COMMERCE

Wednesday, February 21, 1996, 8:00 pm. Hearing Room 9. Executive May Follow.

To be considered - HB 1470, HB 1296, HB 1425, HB 1502, HB 1371

CONSUMER PROTECTION

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 1

To be considered - HB 786, HB 906, HB 1152, HB 1291, HB 1536

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 9. Executive Session May Follow.

To be considered - HB 1082, HB 1257, HB 1419

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 20, 1996, 3:00 pm. Hearing Room 8. Executive Session May Follow.

To be considered - HB 1501, HB 1376, HB 1336

EDUCATION - HIGHER

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 2. Executive Session to Follow.

To be considered - HB 1236, HB 1471

ELECTIONS

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 7. Executive Session May Follow.

To be considered - HB 1477, HB 1489

ENERGY AND ENVIRONMENT

Tuesday, February 20, 1996. Side gallery upon morning adjournment.

To be considered - Executive Session - HB 1345

FEES AND SALARIES

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 1. Executive Session Will Follow.

Amended Notice.

To be considered - HB 1286, HB 1532, HB 1538

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 21, 1996, 8:00 am. Hearing Room 8. Executive Session to Follow.

To be considered - HB 1469, HB 1493, HB 1444, HJR 43

INSURANCE

Tuesday, February 20, 1996, 8:00 am. Hearing Room 8. Executive Session.

To be considered - HB 1395, HB 1137, HB 1261, HB 1447, HB 1448, HB 1475

JUDICIARY AND ETHICS

Tuesday, February 20, 1996, 3:00 pm. Hearing Room 5. Executive Session May Follow.

Democratic Policy Group Caucus

To be considered - HB 1314, HB 1429, HB 1030, HB 1367, HB 1378, HB 1465

LABOR

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 8.

To be considered - HB 1134, HB 1075, HB 1073

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, February 20, 1996, 3:00 pm. Hearing Room 3. Executive Session.

To be considered - HB 1479, HB 1460, HB 1482, HB 1287

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 20, 1996, 3:00 pm. Hearing Room 7. Executive Session To Follow.

To be considered - HB 1453, HB 1411, HB 1275, HB 1485, HB 1399, HB 1349,

HB 1341

MUNICIPAL CORPORATIONS

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 7. Executive Session Will Follow.

To be considered - HR 226

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 21, 1996, 8:00 am. Hearing Room 5.

To be considered - HB 1281, HB 1354, HB 1422, HB 1428

PUBLIC HEALTH AND SAFETY

Tuesday, February 20, 1996, 3:00 pm. Hearing Room 9. Executive Session to Follow.

Amended Notice.

To be considered - HB 1157, HB 1206, HB 1484, HB 1317

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 5. Executive Session to Follow.

To be considered - HB 1327, HB 1362, HB 961

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 2 (subject to change).

Executive Session to Follow.

To be considered - HB 1451, HJR 51, HJR 52, HJR 53, HJR 54, HJR 56

TRANSPORTATION

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 5. Executive Session to Follow.

To be considered - HB 1407, HB 1476, HB 1494, HB 1503, HB 1511

URBAN AFFAIRS

Tuesday, February 20, 1996, 8:00 pm. Hearing Room 2. Executive Session May Follow.

To be considered - HB 1258, HCR 5

WAYS AND MEANS

Tuesday, February 20, 1996, 3:00 pm. Hearing Rooms 1 & 2. Executive Session.

To be considered - HB 1413, HB 1466, HB 1223, HB 1293, HB 1351

Twenty-eighth Day-Monday, February 19, 1996

HOUSE CALENDAR

TWENTY-NINTH DAY, TUESDAY, FEBRUARY 20, 1996

HOUSE BILLS FOR SECOND READING

HB 1553 through HB 1560

HOUSE BILLS FOR PERFECTION

1 HCS HB 1259 - Williams (121)

2 HCS HB 781 with HA 1 pending - Stokan

3 HCS HB 907 & 910 - Treadway

4 HCS HB 991 - Koller

5 HCS HB 818 - Kreider & Witt

6 HB 1402 - Williams (121)

7 HB 1177, - McClelland - Williams (159)

8 HCS HB 800, 812, 817 & 821 - Hosmer

9 HCS HB 1301 & 1298 - McLuckie

10 HB 1377 - Bland

11 HCS HB 1172 - Jacob

12 HCS HB 1249 - O'Toole

13 HB 992 - Harlan

14 HB 832, HCA 1 - Montgomery

15 HCS HB 945 - Smith

16 HB 782, HCA 1 - Stokan

17 HCS HB 980 - Farnen

18 HCS HB 1169 & 1271, Williams (121) - Hosmer

19 HCS HB 1099 - Williams (159)

20 HB 1243, HCA 1 - Farmer

21 HCS HB 1363 - Mays(50)

22 HCS HB 1207, 1288, 1408 & 1409 - Tate

23 HB 985 - Franklin

24 HB 1368 - May (108)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1313 - O'Neill

HOUSE BILLS FOR THIRD READING

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202, (Budget Fiscal 2-14-96) - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

SENATE BILLS FOR SECOND READING

1 SB 565

2 SB 582

3 SB 605

4 SB 665

5 SCS SB 668

6 SCS SB 677

7 SB 693

8 SB 710

9 SB 721

10 SB 728

11 SB 730

12 SB 733

13 SB 766

BILL IN CONFERENCE

SS#2 SS HB 1047, as amended, E.C. - Thomason (163)

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House Journal

Second Regular Session, 88th General Assembly

TWENTY-NINTH DAY, Tuesday, February 20, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Cast away all your transgressions...and get yourselves a new heart and a new spirit". (Ez. 18:31).

Today is Mardi Gras, from the French for "fat Tuesday", a reference to the time when the Catholic Church's Lenten discipline forbade the use of meat and meat by-products during the Lenten season, hence they were all consumed these days.

God of love and mercy, we pray for a spirit of conversion of heart, and of discipline, to permeate all Christian believers this season. We follow the end of a similar program for Ramadan which ended recently. We recognize that the Jewish community does similar soul- searching for their Yom Kippur celebration.

Too often today, we overlook the holiness which is practiced by so many devout people of every faith. Unfortunately we hear too much of the extremists, we do not know that Protestants and Catholics have a community of reconciliation in Correymeala in Northern Ireland or that Croats and Serbs and Muslims published an underground newspaper, searching for reconciliation in Bosnia at the height of ethnic killings there or that some of the most beautiful religious writing in the world comes from the sufi Islamic tradition. Yet the images of bombs in London offices and planes being blown up in the Middle East and buses being bombed in Jerusalem are all too common. Give us a new heart, O God, who is angered by our divisiveness, but loves us unconditionally, nevertheless, and calls us ceaselessly to conversion.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dan Baumgart, Ben Grone, Brent Nesvik, Tradd Davidson, Drew Kifer, Christina McClain, Heather Eoff, Nick Glenn and Chas Reinkemeyer.

The Journal of the twenty-eighth day was approved as corrected.

RESOLUTION

Representative Howerton offered House Resolution No. 340, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Thompson (37) offered House Concurrent Resolution No. 7.

SECOND READING OF HOUSE BILLS

HB 1553 through **HB 1560** were read the second time.

SECOND READING OF SENATE BILLS

SB 565, SB 582, SB 605, SB 665 and **SCS SB 668** were read the second time.

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 802 - Civil and Criminal Law

RECOMMITTAL OF HOUSE BILL

The following House Bill was recommitted to the Committee indicated:

HCS HB 1363 - Consumer Protection

PERFECTION OF HOUSE BILLS

HCS HB 781, with House Amendment No. 1, pending, relating to Alzheimer's care disclosure, was again taken up by Representative Stokan.

Representative Brown offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill No. 781, section 5, line 3, by inserting the words "free-standing" before the word "residential", and inserting the word "only" after the word "which", and further amend said amendment by adding the following sentence at the end of line 4.

"In the event that a vendor or any other party in which said vendor has an interest in more than one facility within a five mile radius of the original facility, then that vendor would be required to obtain a certificate of need for additional facilities."

Representative Brown moved that House Amendment No. 1 to House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Jacob moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 032

Akin	Alter	Ballard	Bray	Broach
Brown	Champion	Childers	Cierpiot	Evans
Foster	Garnett	Gaskill	Gibbons	Graham
Hall	Hohulin	Hosmer	Jacob	Levin
Loudon	Marble	Marshall 133	McClelland	Morgan
Pauley	Pryor	Ridgeway	Robirds	Shear 83
Sombart	Wannenmacher			

NOES: 127

Auer 15	Backer	Barnett 4	Bartelsmeyer	Bennett
Bland	Boatright	Bonner	Boucher	Burton
Canuteson	Carter	Chrismer	Clayton	Cooper
Copeland 41	Crum 112	Crump 152	Daniel 42	Daniels
Davis Pavia	Days	Donovan	Dougherty	Edwards-
Elliott	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Froelker
Goward	Gratz	Green	Griesheimer	Gross
Gunn 123	Hagan-Harrell	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Mitchell 135	Montgomery	Murphy	Murray 69	Murray
Naeger	Nordwald	O'Connor	O'Neill	O'Toole

Oetting	Ostmann	Overschmidt	Pouche	Prost
Reynolds	Ribaudo	Richardson	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Ward
Whiteside	Wieland	Wiggins	Williams 159	Witt
Wooten	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 002

Barnes	Williams 121

VACANCY: 002

On motion of Representative Stokan, **HCS HB 781** was adopted.

On motion of Representative Stokan, **HCS HB 781** was ordered perfected and printed.

HCS HBs 907 and 910, relating to funeral directors, was taken up by Representative Treadway.

Representative Smith offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 907 and 910, pages 11-13, section 436.021, lines 30-84, by striking the opening bracket "[" on page 11, line 30, and the closing bracket "]" on page 12, line 46;

and further amend said bill and section, page 12, line 47, by renumbering subdivision (4) as subdivision **(5)**;

and further amend said bill and section, page 12, line 49, by striking the word "(5)" and inserting in lieu thereof the word "**(6)**";

and further amend said bill and section, page 12, line 62, by striking the words "substantial or intentional" and inserting in lieu thereof the word "**material**";

and further amend said bill and section, page 13, line 73, by striking the words "substantial or intentional" and inserting in lieu thereof the word "**material**";

and further amend said bill and section, page 13, line 76, by renumbering subdivision (5) as subdivision **(6)**;

and further amend said bill and section, page 13, lines 83-84, by striking the words "substantial or intentional" and inserting in lieu thereof the word "**material**".

On motion of Representative Smith, House Amendment No. 1 was adopted.

Representative Hosmer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bills Nos. 907 and 910, page 22, section 436.061, lines 1-12, by striking the opening bracket "[" and closing bracket "]" enclosing the number "1." on line 1;

and further amend said bill, page and section by striking the opening bracket "[" on line 8 and the closing bracket "]" on line 12.

On motion of Representative Hosmer, House Amendment No. 2 was adopted.

On motion of Representative Treadway, **HCS HBs 907 and 910, as amended,** was adopted.

On motion of Representative Treadway, **HCS HBs 907 and 910, as amended,** was ordered perfected and printed.

COMMITTEE REPORT

Committee on Science, Technology and Critical Issues, Chairman Smith reporting:

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **HB 811**, begs leave to report it has examined the same and recommends that it **Do Pass.**

COMMITTEE CHANGE

Representative Scheve no longer a member of the Municipal Corporations Committee.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1561, introduced by Representative Boucher, relating to the licensing of contractors.

HB 1562, introduced by Representative Witt, relating to the DNA profiling system.

HB 1563, introduced by Representative Boatright, et al, relating to the general assembly.

Twenty-ninth Day-Tuesday, February 20, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, February 21, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Eighth Day, Monday, February 19, 1996, page 1, line 33, by inserting after the word "Vogel" the following: "offered House".

Pages 4 and 5, roll call, by showing Representative Van Zandt voting "no" rather than "aye".

Pages 5 and 6, roll call, by showing Representatives Froelker and Kelley (47) voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 21, 1996, 3:00 pm. Hearing Rooms 3 & 4. Executive Session. Amended Notice

To be considered - HB 1420, HB 1205, HB 1325, HCR 4

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 9. Executive Session

To be considered - HB 1432

BUDGET

Wednesday, February 21, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1005, HB 1006, HB 1007

BUDGET

Wednesday, February 21, 1996. Hearing Room 9 upon morning adjournment.

To be considered - HB 1005, HB 1006, HB 1007

BUDGET

Monday, February 26, 1996, 1:00 pm. Hearing Room 9. Executive Session to Follow.

Continuation of appropriations if there is time remaining.

To be considered - HB 974, SB 540, HB 1445, HJR 49, HB 1312

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 21, 1996, 7:45 pm. Hearing Room 8. Corrected Notice

To be considered - HB 1044, HB 1160, HB 1505, Executive Session - HB 855,

Executive Session - HB 1046

CIVIL AND CRIMINAL LAW

Wednesday, February 21, 1996, 8:00 pm. Hearing Room 7. Executive Session to Follow.

Amended Notice.

To be considered - HB 1357, HB 1170, HB 944, HJR 42, HB 1430, HB 802

COMMERCE

Wednesday, February 21, 1996, 8:00 pm. Hearing Room 9. Executive May Follow.

To be considered - HB 1470, HB 1296, HB 1425, HB 1502, HB 1371

CONSUMER PROTECTION

Wednesday, February 21, 1996. Side gallery immediately upon adjournment.

To be considered - Executive Session - HB 1363

EDUCATION - HIGHER

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 2. Executive Session to Follow.

To be considered - HB 1236, HB 1471

ENERGY AND ENVIRONMENT

Thursday, February 22, 1996, 8:00 am. Hearing Room 8. Executive Session May Follow.

To be considered - HB 1450, HB 1319

FEES AND SALARIES

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 1. Executive Session Will Follow.

Amended Notice.

To be considered - HB 1286, HB 1532, HB 1538

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, February 21, 1996, 8:00 am. Hearing Room 8. Executive Session to Follow.

To be considered - HB 1469, HB 1493, HB 1444, HJR 43

MUNICIPAL CORPORATIONS

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 7. Executive Session Will Follow.

To be considered - HR 226

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 21, 1996, 8:00 am. Hearing Room 5.

To be considered - HB 1281, HB 1354, HB 1422, HB 1428

RETIREMENT

Wednesday, February 21, 1996, 8:00 pm. Hearing Room 2. Corrected Notice.

To be considered - HB 1488, HB 1541

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Wednesday, February 21, 1996. Side gallery upon adjournment.

To be considered - Executive Session - HB 1097

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 2 (subject to change).

Executive Session to Follow.

To be considered - HB 1451, HJR 51, HJR 52, HJR 53, HJR 54, HJR 56

SUB-COMMITTEE ON ELEMENTARY & SECONDARY EDUCATION

Wednesday, February 21, 1996. Hearing Room 7 upon adjournment.

To be considered - SB 687

SUB-COMMITTEE ON ELEMENTARY & SECONDARY EDUCATION

Thursday, February 22, 1996. Hearing Room 7 upon adjournment.

To be considered - SB 687

TRANSPORTATION

Wednesday, February 21, 1996, 3:00 pm. Hearing Room 5. Executive Session to Follow.

To be considered - HB 1407, HB 1476, HB 1494, HB 1503, HB 1511

HOUSE CALENDAR

THIRTIETH DAY, WEDNESDAY, FEBRUARY 21, 1996

HOUSE BILLS FOR SECOND READING

HB 1561 through HB 1563

HOUSE BILLS FOR PERFECTION

1 HCS HB 1259 - Williams (121)

2 HCS HB 991 - Koller

3 HCS HB 818 - Kreider & Witt

4 HB 1402 - Williams (121)

5 HB 1177 - McClelland, Williams (159)

6 HCS HB 800, 812, 817 & 821 - Hosmer

7 HCS HB 1301 & 1298 - McLuckie

8 HB 1377 - Bland

9 HCS HB 1172 - Jacob

10 HCS HB 1249 - O'Toole

11 HB 992 - Harlan

12 HB 832, HCA 1 - Montgomery

13 HCS HB 945 - Smith

14 HB 782, HCA 1 - Stokan

15 HCS HB 980 - Farnen

16 HCS HB 1169 & 1271 - Williams (121), Hosmer

17 HCS HB 1099 - Williams (159)

18 HB 1243, HCA 1 - Farmer

19 HCS HB 1207, 1288, 1408 & 1409 - Tate

20 HB 985 - Franklin

21 HB 1368 - May (108)

HOUSE BILL FOR PERFECTION - FEDERAL MANDATE

HB 1313 - O'Neill

HOUSE BILLS FOR THIRD READING

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202, (Budget Fiscal 2-14-96) - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 895, E.C. - Ostmann

HCS HB 844 & 1059 - Auer

HB 1041 - McBride

HB 866 - Overschmidt

BILL IN CONFERENCE

CCR SS#2 SS HB 1047, as amended, E.C. - Thomason (163)

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Missouri Senate
Revised Statutes of Missouri Search
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House Journal

Second Regular Session, 88th General Assembly

THIRTIETH DAY, Wednesday, February 21, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Holy God, as we approach this sacred season in the history of Christianity, let us recall the importance of sacrifices -- giving up things that by our sacrifice will benefit others.

Especially in this House help us be conscious of those things that are selfish and self- serving -- and let us give them up so that concern for others and the good of many will outweigh the good of one. Help us be aware that when something is difficult for us to do or to be a part of, growth often comes in that struggle. Give us strength.

As the days grow warmer, with the knowledge that new growth lies just beneath the earth's surface, help us bring about growth in our own lives and in the lives of those who have entrusted us to these offices by faithfully carrying out our responsibilities.

And now bless those who are here that they may take joy in the jobs they've been selected to do, and feel your presence ever guiding them. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dustin Steller, Lacey Farrar, Hannah Farrar, Gabriel Farrar, Matthew Warner, Marie Warner, Luke Warner, Ryan Morton, Bret Morton, Andrew Morton, Anna Wade and Ian Wade.

The Journal of the twenty-ninth day was approved as printed.

RESOLUTIONS

Representative Vogel offered House Resolution No. 341, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 342, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bennett offered House Resolution No. 343, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Copeland, et al, offered House Resolution No. 344, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 345, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 346, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Prost offered House Resolution No. 347.

Representative Sombart offered House Resolution No. 348, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wooten offered House Resolution No. 349, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 350, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface and Marble offered House Resolution No. 351, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hendrickson offered House Resolution No. 352, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 353.

SECOND READING OF HOUSE BILLS

HB 1561 through **HB 1563** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 781, HCS HB 844 & 1059, HCS HB 895, HB 866 and HB 1041**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 348, 349, 350, 351 and 352**, begs leave to report it has examined the same and recommends that they **Do Pass.**

BILL IN CONFERENCE

CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE NO. 2 FOR SENATE SUBSTITUTE FOR HOUSE BILL NO. 1047

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute No. 2 for Senate Substitute for House Bill No. 1047, with Senate Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1047;

2. That the Senate recede from its position on Senate Substitute No. 2 for Senate Substitute for House Bill No. 1047, with Senate Amendment No. 1;

3. That the attached Conference Committee Substitute for Senate Substitute No. 2 for Senate Substitute for House Bill No. 1047, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Larry Thomason	/s/ Danny Staples
/s/ Rex Barnett	/s/ William McKenna
/s/ Donald Prost	/s/ Betty Sims
/s/ Gary Witt	/s/ Irene Treppler
/s/ Carson Ross	

CCR SS # 2 SS HB 1047, as amended, relating to speed limits, was taken up by Representative Thomason (163).

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

ABSENT WITH LEAVE: 006

Barnes	Daniel 42	Jacob	Marble	Witt

Mr. Speaker

VACANCY: 002

On motion of Representative Thomason (163), **CCR SS # 2 SS HB 1047, as amended,** was adopted by the following vote:

AYES: 102

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bray	Broach	Brown	Burton
Carter	Childers	Cierpiot	Clayton	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Edwards-Pavia
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Goward	Graham	Green	Griesheimer
Hagan-Harrell	Hall	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Howerton	Kasten
Kelley 47	Kissell	Klumb	Koller	Kreider
Leake	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Mays 50	McBride	McLuckie	Murray 69	Murray 135
O'Connor	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Ribaudo	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shelton 57
Shields	Skaggs	Smith	Stokan	Summers
Surface	Tate	Thomason 163	Thompson 37	Troupe

Wannenmacher	Ward	Wieland	Wiggins	Williams 159
Wooten	Mr. Speaker			

NOES: 055

Auer	Bennett 15	Bland	Boatright	Bonner
Boucher	Canuteson	Champion	Chrismer	Cooper
Copeland	Daniel 42	Days	Dougherty	Elliott
Farmer	Fiebelman	Gibbons	Gratz	Gross
Gunn	Hand	Harlan	Hendrickson	Hohulin
Hosmer	Kauffman	Keeven	Kelly 27	Lakin
Liese	Marshall 133	May 108	McClelland	Mitchell
Montgomery	Morgan	Murphy	Naeger	Nordwald
O'Neill	O'Toole	Pryor	Reynolds	Ridgeway
Shear 83	Sheldon 104	Sombart	Steen	Stoll
Treadway	Van Zandt	Vogel	Whiteside	Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Jacob	Marble	Witt	

VACANCY: 002

On motion of Representative Thomason (163), **CCS SS #2 SS HB 1047** was read the third time and passed by the following vote:

AYES: 122

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bray	Broach	Brown	Burton
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Goward	Graham	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hickey	Hoppe	Howerton
Kasten	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	Mays 50	McBride
McLuckie	Mitchell	Montgomery	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Troupe	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 159
Wooten	Mr. Speaker			

NOES: 034

Auer	Bennett 15	Bland	Boatright	Bonner
Boucher	Canuteson	Copeland	Days	Dougherty
Farmer	Fitzwater	Gibbons	Gratz	Gunn
Hand	Harlan	Hendrickson	Hohulin	Hosmer
Kauffman	Keeven	Kelly 27	May 108	McClelland
Morgan	Murphy	O'Neill	O'Toole	Reynolds
Sheldon 104	Treadway	Van Zandt	Williams 121	

PRESENT: 000

ABSENT WITH LEAVE: 005

Barnes	Jacob	Liese	Marble	Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 124

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bonner	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Goward	Graham
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Howerton	Kasten
Kelley 47	Kissell	Klumb	Koller	Kreider
Leake	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	Mays 50	McBride	McLuckie	Mitchell
Montgomery	Murray 69	Murray 135	Naeger	Nordwald
O'Neill	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Troupe
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	

NOES: 029

Auer	Bennett 15	Bland	Boatright	Boucher
Copeland	Daniel 42	Days	Dougherty	Farmer
Gibbons	Gratz	Gunn	Harlan	Hohulin
Hosmer	Kauffman	Keeven	Kelly 27	May 108
McClelland	Morgan	Murphy	O'Toole	Reynolds
Shear 83	Sheldon 104	Treadway	Van Zandt	

PRESENT: 000

ABSENT WITH LEAVE: 008

Barnes	Jacob	Lakin	Liese	Marble
O'Connor	Witt	Mr. Speaker		

VACANCY: 002

On motion of Representative Schilling, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Klumb moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL - FEDERAL MANDATE

HB 1313, relating to employment security, was taken up by Representative O'Neill.

On motion of Representative O'Neill, **HB 1313** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HB 1259, relating to county planning and zoning, was taken up by Representative Williams (121).

Representative Ridgeway offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1259, Page 1, In the Title, Lines 2 through 4, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 64.905, RSMo 1994, relating to planning and zoning in certain counties, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause for certain sections."; and

Further amend said bill, Page 4, Section B, Line 5, by inserting after all of said line the following:

"Section C. Section 64.905, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 64.905, to read as follows:

64.905. 1. The provisions of sections 64.800 to 64.905 are established as an alternative to the provisions of sections 64.510 to 64.690 for counties of the second and third [classes] **classifications**, and as an alternative to the provisions of sections 64.211 to 64.295 for counties of the first [class] **classification** not having a charter form of government.

2. **Except as provided in subsections 4 and 5 of this section,** if the voters of any **county of** second or third [class county] **classification** adopt county planning or zoning [under] **pursuant to** the provisions of sections 64.800 to 64.905 after having previously adopted county planning or zoning [under] **pursuant to** the provisions of sections 64.510 to 64.690, the provisions of sections 64.800 to 64.905 shall be effective in the county, and the county planning or zoning shall be conducted thereafter as provided in sections 64.800 to 64.905 rather than as provided in sections 64.510 to 64.690.

3. **Except as provided in subsections 4 and 5 of this section,** any county of the second [class] **classification** which adopts county planning or zoning [under] **pursuant to** the provisions of sections 64.800 to 64.905 or 64.510 to 64.690 prior to becoming a county of the first [class] **classification** not having a charter form of government shall continue to operate [under] **pursuant to** those provisions as a county of the first [class] **classification** until the county planning or zoning program is terminated pursuant to the provisions of section 64.900. After the termination of county planning or zoning [under] **pursuant to** sections 64.800 to 64.905, the county commission of any county of the first [class] **classification** not having a charter form of government may exercise all powers and duties prescribed by and may elect to come under the provisions of sections 64.211 to 64.295.

4. Notwithstanding the provisions of subsections 2 and 3 of this section, in any county of the first classification without a charter form of government which has a population of at least one hundred fifty thousand inhabitants which contains all or a portion of a city with a population of at least three hundred thousand inhabitants, which has adopted planning and zoning prior to becoming a county of the first classification, the county governing body may, by ordinance, provide that the county's planning and zoning may be conducted as provided in sections 64.510 to 64.690, sections 64.800 to 64.905 or sections 64.211 to 64.295.".

On motion of Representative Ridgeway, House Amendment No. 1 was adopted.

On motion of Representative Williams (121), **HCS HB 1259, as amended,** was adopted.

Representative Williams (121), having voted on the prevailing side, moved that the vote by which **HCS HB 1259, as amended,** was adopted be reconsidered.

Which motion was adopted.

Representative Ridgeway offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1259, Page 1, In the Title, Line 1, by deleting the word "two" and inserting in lieu thereof the word "three"; and

Further amend said bill, Page 1, In the Title, Lines 3 and 4, by deleting all of said lines and inserting in lieu thereof the following: "section relating to the same subject, with an emergency clause for certain sections."; and

Further amend said bill, Page 4, Section B, Line 5, by inserting after all of said line the following:

"Section C. Chapter 64, RSMo, is amended by adding thereto one new section, to be known as section 64.906, to read as follows:

64.906. In any county of the first classification without a charter form of government which has a population of at least one hundred fifty thousand inhabitants which contains all or a portion of a city with a population of at least three hundred thousand inhabitants, the county planning and zoning commission may, with the approval of the governing body of the county, create and adopt rules for the transaction of its business, create and adopt rules for the filing of applications, hearings, inspections and other activities and rules and regulations governing the conduct and procedures of its meetings and hearings. Such rules and regulations may include without limitation such provisions regulating rezoning, land use or platting applications, discovery and prehearing procedures, filing requirements for land use and platting applications, rules regulating the conduct of hearings, the filing of briefs and motions, prefiling of exhibits and witness lists or provisions preventing refiling

of zoning or land use applications where the application is the same, or substantially the same, as an application which has been previously overruled, rejected or denied within the previous five years, unless the applicant can show by clear and convincing evidence that a substantial change in circumstances has occurred since the previous rejection which is a result of new facts which were not discoverable by the applicant during the previous proceedings with the use of reasonable diligence or is a result of material facts which have arisen since the previous proceedings were terminated. The rule may further provide that such showing shall be made prior to acceptance of the new application.".

On motion of Representative Ridgeway, House Amendment No. 2 was adopted.

On motion of Representative Williams (121), **HCS HB 1259, as amended,** was adopted.

On motion of Representative Williams (121), **HCS HB 1259, as amended,** was ordered perfected and printed.

HCS HB 991, relating to motor carriers, was taken up by Representative Koller.

Representative Koller offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute House Bill No. 991, Page 1, In the Title, Line 2, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the following: "10 and 11" and inserting in lieu thereof the following: "10, 11 and 12"; and

Further amend said bill, Page 2 through 3, Section 1, Lines 5 through 25, by deleting all of said lines and inserting in lieu thereof the following:

"**(2) "Household goods", as used in connection with transportation, means personal effects and property used or to be used in a dwelling, when a part of the equipment or supply of such dwelling, and similar property if the transportation of such effects or property is:**

(a) Arranged and paid for by the householder, including transportation of property from a factory or store when the property is purchased by the householder with intent to use in his or her dwelling; or

(b) Arranged and paid for by another party;"; and

Further amend said bill, Page 8, Section 11, Line 8, by inserting immediately after said line the following:

"**Section 12. Subject to any exceptions which are applicable under section 307.400, RSMo, or subsection 6 of section 390.063, RSMo, the officers and commercial motor vehicle inspectors of the state highway patrol, the enforcement personnel of the division of motor carrier and railroad safety, and other authorized peace officers of this state and any civil subdivision of this state, may enforce any of the provisions of Parts 350 through 399 of Title 49, Code of Federal Regulations, as those regulations have been and may periodically be amended, as they apply to motor vehicles and drivers operating in interstate or intrastate commerce within this state; except that the enforcement personnel of the division of motor carrier and railroad safety shall be authorized to enforce those regulations wholly within the terminals of motor carriers and private carriers by motor vehicle.**".

On motion of Representative Koller, House Amendment No. 1 was adopted.

Representative Koller offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 991, Page 1, Line 1, by inserting immediately after the figure "390.150" a comma", "and the figure "508.070"; and

Further amend said bill, Page 2, Section 390, Line 24 by inserting immediately below said line the following:

508.070. 1. Suit may be brought against any motor carrier which is subject to regulation under chapter 390, RSMo, in any county where the cause of action may arise, in any town or county where the motor carrier operates, or judicial circuit where the cause of action accrued, or where the defendant maintains an office or agent, and service may be had upon the motor carrier whether an individual person, firm, company, association, or corporation, by serving process upon the [secretary of the public service commission] **director, division of motor carrier and railroad safety**.

2. When a summons and petition are served upon the [secretary of the public service commission] **director, division of motor carrier and railroad safety**, naming any motor carrier, either a resident or nonresident of this state, as a defendant in any action, the [secretary] **director** shall immediately mail the summons and petition by registered United States mail to the motor carrier at the business address of the motor carrier as it appears

upon the records of the commission. The [secretary] **director** shall request from the postmaster a return receipt from the motor carrier to whom the registered letter enclosing copy of summons and petition is mailed. The [secretary] **director** shall inform the clerk of the court out of which the summons was issued that the summons and petition were mailed to the motor carrier, as herein described, and the [secretary] **director** shall forward to the clerk the return receipt showing delivery of the registered letter.

3. Each motor carrier not a resident of this state and not maintaining an office or agent in this state shall, in writing, designate the [secretary of the public service commission] **director** as its authorized agent upon whom legal service may be had in all actions arising in this state from any operation of the motor vehicle under authority of any certificate or permit, and service shall be had upon the nonresident motor carrier as herein provided.

4. There shall be kept in the office of the [secretary of the public service commission] **director, division of motor carrier and railroad safety** a permanent record showing all process served, the name of the plaintiff and defendant, the court from which the summons issued, the name and title of the officer serving the same, the day and the hour of service, the day and date on which petition and summons were forwarded to the defendant or defendants by registered letter, the date on which return receipt is received by the [secretary of the commission] **director**, and the date on which the return receipt was forwarded to the clerk of the court out of which the summons was issued.

On motion of Representative Koller, House Amendment No. 2 was adopted.

Representative Schilling offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 991, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 94.705, 94.745, 390.150 and 622.010, RSMo 1994, relating to transportation, and to enact in lieu thereof fifteen new sections relating to the same subject, with penalty provisions."; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"Section A. Sections 94.705, 94.745, 390.150 and 622.010, RSMo 1994, are repealed and fifteen new"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting before the number "390.150" the following: "94.705, 94.745,"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after all of said line the following:

"94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, [but no such] **and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section or the retirement of debt under previously authorized bonded indebtedness. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No** ordinance **imposing a sales tax pursuant to the provisions of this section** shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax **and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax, or, if included in the ballot proposition, to authorize the retirement of debt under previously authorized bonded indebtedness**; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of ..... (city's name) impose a sales tax of ..... (insert amount) for transportation purposes?

* Yes * No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"[.] **;**

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of ..... (city's name) issue bonds in the amount of ..... (insert amount) for transportation purposes and impose a sales tax of ..... (insert amount) to repay such bonds?

*** YES * NO**

If you are in favor of the question place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, **including when the proposal authorizes the reduction of debt under previously authorized bonded indebtedness pursuant to subdivision (1) of this subsection,** then the ordinance and any amendments thereto shall be in effect**; provided, that any proposal submitted pursuant to subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds shall be approved by the constitutionally required percentage of the voters voting thereon to become effective**. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the council or other governing body of the city shall have no power **to issue any bonds or** to impose the tax herein authorized unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to **issue any bonds or** impose the tax and such proposal is approved by [a] **the requisite** majority of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo.

4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5. No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired.

94.745. 1. All moneys received by a city imposing a sales tax under the provisions of sections 94.700 to 94.755 shall be deposited by the city treasurer, or other city officer authorized by ordinance, in a special fund to be known as the "City Transportation Trust Fund". All moneys in such transportation trust fund shall be appropriated and disbursed only for transportation purposes as enumerated in sections 94.700 to 94.755. **The provisions of this subsection shall apply only to taxes authorized by sections 94.700 to 94.755 which have not been imposed to retire bonds issued pursuant to sections 94.700 to 94.755.**

2. All moneys received by a city which issues bonds pursuant to the provisions of section 94.705 and imposes the tax authorized by such section to retire such bonds shall be deposited in a special trust fund and shall be used solely to retire such bonds, except to the extent that such funds are required for the operation and maintenance of the capital improvements made with the proceeds of the bonds. Once all of such bonds have been retired, all funds remaining in the special trust fund required by this subsection shall be used solely for transportation purposes. Any funds in the special trust fund required by this subsection which are not needed to meet current obligations under the bonds issued pursuant to section 94.705 may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by section 94.705 which have been imposed to retire bonds issued pursuant to such section.

[2.] **3.** Any portion or all of the funds on deposit in a transportation trust fund may be appropriated and paid by a city directly to an interstate transportation authority, a city transit authority or a city utilities board for its general purposes in providing a public mass transportation system within an interstate transportation district or a municipality; provided that, before such funds may be appropriated and paid to any such interstate transportation authority, city transit authority or city utilities board with a service area population in excess of two million persons, such authority or board shall develop, for mutual agreement, a program of transit service to be provided to the city. Such program shall define the service to be provided, the fare structure to be in effect, the estimated cost of the total transit service program of the authority or board, and the estimated cost of the city's portion of the program. Such agreement shall be renewed prior to the beginning of each fiscal year and, when such agreement is reached, the city shall appropriate to the authority or board funds as are designated in the agreement for the period of the agreement. A city may designate by contract with an interstate transportation authority, a city transit authority or a city utilities board that a designated portion of such funds shall be used by the interstate transportation authority, the city transit authority or the city utilities board to provide specific service or frequency of service to underwrite a certain fare structure, or for any other purposes consistent with providing a sound public mass transportation system.

[3.] **4.** Any provisions of sections 94.700 to 94.755 to the contrary notwithstanding, at least seven percent of the proceeds of any sales tax imposed under sections 94.700 to 94.755 that are appropriated and paid by a city to

an interstate transportation authority, a city transit authority or a city utilities board shall be expended only for the purchase of new public mass transportation equipment, for the construction of public mass transportation facilities, or for any other capital expenditures or improvements to the property of the interstate transportation authority, city transit authority or city utilities board used in providing public mass transportation service, or to pay the interest or principal payments, or to satisfy sinking fund requirements on any negotiable notes or bonds or other instruments in writing issued for any of the above purposes.

[4.] **5.** Any provisions of sections 94.700 to 94.755 to the contrary notwithstanding, at least seven percent of the proceeds of any sales tax imposed under sections 94.700 to 94.755 that are appropriated and expended by a city for its general purposes in providing a public mass transportation system directly owned and operated by it shall be expended only for the purpose of new public mass transportation equipment, for the construction of public mass transportation facilities, or for any other capital expenditures or improvements to its properties used in providing public mass transportation service, or to pay the interest or principal payments, or to satisfy the sinking fund requirements on any negotiable notes or bonds or other instruments in writing issued for any of the above purposes.

[5.] **6.** No funds may be appropriated and paid to any such transportation authority, transit authority or utilities board, unless and until such authority or board shall file or shall have filed with the city paying such funds, and the secretary of state of the state of Missouri, annually and within six months after the close of such authority or board's fiscal year, an independently audited report and accounting as to such authority or board's management and administration of any and all funds received and expended by such authority or board.

[6.] **7.** Transportation authorities operating a public mass transportation system under sections 94.700 to 94.755 shall provide for interior and exterior advertising on each vehicle for mass transportation purposes.".

Representative Shields raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

HCS HB 991, as amended, with House Amendment No. 3, pending, was laid over.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HBs 907 and 910 - Budget (Fiscal Note)

COMMITTEE REPORTS

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 1363**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1159, HB 842 and HB 799**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Thirtieth Day-Wednesday, February 21, 1996

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1564, introduced by Representatives O'Toole and Shields, relating to endowed care cemeteries.

HB 1565, introduced by Representative Days, et al, relating to state minimum wage.

.**HB 1566**, introduced by Representatives Richardson and Treadway, relating to services performed by dental hygienists.

HB 1567, introduced by Representatives Ridgeway, Pouche, Skaggs and Lakin, et al, relating to planning and zoning in certain counties.

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

88TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you Senate Committee Substitute for House Bill No. 1014 entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for the payment of various claims for refunds, for persons, firms and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 1996.

On February 21, 1996, I approved said Senate Committee Substitute for House Bill No. 1014.

Respectfully submitted

/s/ Mel Carnahan

Governor

The following member's presence was noted: Gaw.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 22, 1996.

Thirtieth Day-Wednesday, February 21, 1996

COMMITTEE MEETINGS

AGRI-BUSINESS

Thursday, February 22, 1996, 9:45 am. Side Gallery. Executive Session

To be considered - HB 1204

BUDGET

Thursday, February 22, 1996, 8:30 am. Hearing Room 9

To be considered - HB 1006, HB 1007, HB 1008

BUDGET

Thursday, February 22, 1996. Hearing Room 9 upon morning adjournment.

To be considered - HB 1007, HB 1008

BUDGET

Monday, February 26, 1996, 1:00 pm. Hearing Room 9. Executive Session to

Follow. Continuation of appropriations if there is time remaining.

To be considered - HB 974, SB 540, HB 1445, HJR 49, HB 1312

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, February 22, 1996, 8:00 am. Hearing Room 1. Executive Session

ENERGY AND ENVIRONMENT

Thursday, February 22, 1996, 8:00 am. Hearing Room 8. Executive Session

May Follow.

To be considered - HB 1450, HB 1319

INSURANCE

Thursday, February 22, 1996, 8:00 am. Hearing Room 5. Executive Session

To be considered - HB 1513, HB 1547, HB 1066, HB 1545

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, February 22, 1996. House Lounge upon adjournment. Executive Session. Corrected Notice

SUB-COMMITTEE ON ELEMENTARY & SECONDARY EDUCATION

Thursday, February 22, 1996. Hearing Room 7 upon adjournment. Cancelled

To be considered - SB 687

Thirtieth Day-Wednesday, February 21, 1996

HOUSE CALENDAR

THIRTY-FIRST DAY, THURSDAY, FEBRUARY 22, 1996

HOUSE BILLS FOR SECOND READING

HB 1564 through HB 1567

HOUSE BILLS FOR PERFECTION

1 HCS HB 991, as amended,with HA 3, pending - Koller

2 HCS HB 818 - Kreider & Witt

3 HB 1402 - Williams (121)

4 HB 1177 - McClelland, Williams (159)

5 HCS HB 800, 812, 817 & 821 - Hosmer

6 HCS HB 1301 & 1298 - McLuckie

7 HB 1377 - Bland

8 HCS HB 1172 - Jacob

9 HCS HB 1249 - O'Toole

10 HB 992 - Harlan

11 HB 832, HCA 1 - Montgomery

12 HCS HB 945 - Smith

13 HB 782, HCA 1 - Stokan

14 HCS HB 980 - Farnen

15 HCS HB 1169 & 1271 - Williams (121) - Hosmer

16 HCS HB 1099 - Williams (159)

17 HB 1243, HCA 1 - Farmer

18 HCS HB 1207, 1288, 1408 & 1409 - Tate

19 HB 985 - Franklin

20 HB 1368 - May (108)

21 HCS HB 1363 - Mays (50)

HOUSE BILLS FOR THIRD READING

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202, (Budget Fiscal 2-14-96) - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 895, E.C. - Ostmann

HCS HB 844 & 1059 - Auer

HB 1041 - McBride

HB 866 - Overschmidt

HCS HB 781 - Stokan

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

COURTESY RESOLUTIONS

HR 306 - Marble

HR 307 - Franklin

HR 308 - Bartelsmeyer

HR 309 - Stoll

HR 310 - Howerton

HR 311 - Howerton

HR 312 - Naeger

HR 313 - Naeger

HR 314 - Naeger

HR 315 - Naeger

HR 316 - Naeger

HR 317 - Naeger

HR 318 - Sombart

HR 319 - Howerton

HR 320 - Howerton

HR 321 - Howerton

HR 322 - Howerton

HR 323 - Howerton

HR 324 - Howerton

HR 325 - Boucher

HR 326 - Klumb

HR 327 - Gaw

HR 328 - Gaw

HR 329 - Vogel

HR 330 - Kreider

HR 331 - Graham

HR 333 - Fitzwater

HR 334 - Fitzwater

HR 335 - Boucher

HR 336 - Thomason (163)

HR 337 - Naeger

HR 338 - Enz

HR 339 - Enz

HR 340 - Howerton

HR 341 - Vogel

HR 342 - Fitzwater

HR 343 - Bennett

HR 344 - Copeland

HR 345 - Hartzler (124)

HR 346 - Enz

HR 348 - Sombart

HR 349 - Wooten

HR 350 - Williams (121)

HR 351 - Surface

HR 352 - Hendrickson

House Members
Bill Information
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House Journal

Second Regular Session, 88th General Assembly

THIRTY-FIRST DAY, Thursday, February 22, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"Be strong and of good courage, do not fear or be in dread of them: for it is the Lord your God who goes with you; he will not fail you or forsake you". (Deut. 31:6, RSV)

Gracious and Almighty God, as we gather in this place where important decisions are made and where lives are changed, help us never to allow our caution to become cowardice or our courage to become recklessness.

Help us never to allow carefulness to become meanness, or spending to become squandering.

Help us never to allow honesty to become discourtesy, or politeness to become evasion of the truth.

In this year of political challenge and faulty rhetoric help us be discerning in those we choose to listen to, hearing with careful ears the true agenda behind the political one.

Those here in this House have tremendous responsibilities to perform, Lord. Give them guidance as they serve in the name of justice and the people of Missouri. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Colleen Cariker, Jamise Mason, Quinton O'Brien, Scott Corrigan, Mary Coleman, Crystal Moore, Lyndel Culbertson, Jamie Smart, Le Ann Oestreich, Carrie Lynette McDowell and Pat Buckstead.

The Journal of the thirtieth day was approved as corrected.

RESOLUTIONS

Representative Stoll offered House Resolution No. 354, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (123) offered House Resolution No. 355, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 356, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 357, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 358, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 359, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 360, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bartelsmeyer offered House Resolution No. 361, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears (1) offered House Resolution No. 362, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears (1) offered House Resolution No. 363, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson, et al, offered House Resolution No. 364.

COURTESY RESOLUTIONS

House Resolution Nos. 306 through 331, House Resolution Nos. 333 through 346 and House Resolution Nos. 348 through 352 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 306 through 331, House Resolution Nos. 333 through 346 and House Resolution Nos. 348 through 352 were adopted.

SECOND READING OF HOUSE BILLS

HB 1564 through **HB 1567** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 907 & 910, HCS HB 1259 and HB 1313**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HCS HB 895, relating to school bus operator's permits, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **HCS HB 895** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward

Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 005

Gratz	Hohulin	Lograsso	Steen	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnes	Cierpiot	Copeland	Enz	Goward
Hickey	Marble	O'Toole	Ribaudo	Witt

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bonner	Boucher	Bray
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hosmer	Howerton
Jacob	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 012

Akin	Boatright	Evans	Gratz	Hall
Hegeman	Hendrickson	Hohulin	Lograsso	Steen
Whiteside	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 014

Barnes	Bland	Cierpiot	Copeland	Enz
Goward	Hickey	Hoppe	Kasten	Marble
O'Toole	Ribaudo	Wiggins	Witt	

VACANCY: 002

On motion of Representative Green, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 844 and 1059, relating to mutual insurance company, was taken up by Representative Auer.

On motion of Representative Auer, **HCS HBs 844 and 1059** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 001

Kelly 27

ABSENT WITH LEAVE: 012

Barnes	Boucher	Cierpiot	Copeland	Enz
Goward	Hickey	Marble	O'Toole	Ribaudo
Sheldon 104	Witt			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Lumpe moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

HB 1041, relating to Conservation Commission areas, was taken up by Representative McBride.

On motion of Representative McBride, **HB 1041** was read the third time and passed by the following vote:

AYES: 100

Backer	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Bland	Bonner	Boucher	Brown	Canuteson
Carter	Champion	Childers	Clayton	Cooper
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Farmer	Farnen	Fiebelman
Fitzwater	Foster	Franklin	Gaskill	Gratz
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Klumb	Koller	Lakin	Leake	Legan
Liese	Long	Lumpe	Marshall 26	Marshall 133
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
O'Neill	Oetting	Overschmidt	Pauley	Pouche
Prost	Reynolds	Ridgeway	Rizzo	Ross
Scheve	Schilling	Schwab	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Ward
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 042

Akin	Alter	Auer	Boatright	Broach
Burton	Chrismer	Edwards-Pavia	Elliott	Evans
Foley	Froelker	Garnett	Gibbons	Graham
Griesheimer	Gross	Hall	Hartzler 124	Hendrickson
Hohulin	Kreider	Levin	Linton	Lograsso
Loudon	May 108	Murphy	Nordwald	O'Connor
Ostmann	Pryor	Robirds	Sallee	Secrest
Steen	Summers	Surface	Vogel	Wannenmacher
Whiteside	Wieland			

PRESENT: 001

Luetkenhaus

ABSENT WITH LEAVE: 018

Barnes	Bray	Cierpiot	Copeland	Crump 152
Enz	Ford	Goward	Green	Hickey
Howerton	Kelly 27	Marble	O'Toole	Ribaudo
Richardson	Thompson 37	Witt		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Farmer moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HB 866, relating to Parkway Commission, was taken up by Representative Overschmidt.

Representative Overschmidt moved that **HB 866** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 060

Auer	Backer	Bartelsmeyer	Bland	Bonner
Boucher	Canuteson	Childers	Clayton	Crum 112
Daniels 41	Dougherty	Farnen	Fitzwater	Foley
Froelker	Garnett	Griesheimer	Gross	Hagan-Harrell
Harlan	Heckemeyer	Hosmer	Jacob	Kasten
Kissell	Klumb	Koller	Kreider	Leake
Long	Marshall 26	Marshall 133	May 108	Mays 50

McBride	McLuckie	Mitchell	Montgomery	Murray 69
Naeger	Nordwald	O'Connor	O'Neill	Overschmidt
Pauley	Prost	Reynolds	Rizzo	Robirds
Sallee	Scheve	Schilling	Sears 1	Shelton 57
Treadway	Wieland	Wiggins	Williams 159	Mr. Speaker

NOES: 084

Akin	Alter	Ballard	Barnett 4	Bennett 15
Boatright	Bray	Broach	Brown	Burton
Carter	Champion	Chrismer	Cooper	Daniel 42
Davis	Days	Donovan	Edwards-Pavia	Elliott
Evans	Farmer	Fiebelman	Foster	Franklin
Gaskill	Gibbons	Graham	Gratz	Green
Gunn	Hall	Hand	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kauffman
Keeven	Kelley 47	Kelly 27	Lakin	Legan
Levin	Liese	Linton	Lograsso	Loudon
Lumpe	McClelland	Morgan	Murphy	Murray 135
Oetting	Ostmann	Pouche	Pryor	Richardson
Ridgeway	Ross	Schwab	Scott	Secrest
Shear 83	Sheldon 104	Shields	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Williams 121	Wooten	

PRESENT: 001

Luetkenhaus

ABSENT WITH LEAVE: 016

Barnes	Cierpiot	Copeland	Crump 152	Enz
Ford	Goward	Hickey	Hoppe	Marble
O'Toole	Ribaudo	Skaggs	Thompson 37	Ward

Witt

VACANCY: 002

HCS HB 781, relating to Alzheimer's care disclosure, was taken up by Representative Stokan.

On motion of Representative Stokan, **HCS HB 781** was read the third time and passed by the following vote:

AYES: 096

Alter	Auer	Backer	Bartelsmeyer	Bennett 15
Bland	Bonner	Boucher	Bray	Brown
Canuteson	Carter	Childers	Chrismer	Clayton
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Garnett	Gibbons	Green
Griesheimer	Gunn	Hagan-Harrell	Harlan	Hartzler 124
Heckemeyer	Hoppe	Hosmer	Jacob	Kauffman
Kelley 47	Kelly 27	Koller	Kreider	Lakin
Leake	Levin	Liese	Long	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Naeger	Nordwald	O'Connor
O'Neill	Oetting	Ostmann	Overschmidt	Pauley
Pryor	Reynolds	Richardson	Rizzo	Scheve
Schilling	Scott	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Whiteside	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 047

Akin	Ballard	Barnett 4	Boatright	Broach
Burton	Champion	Cooper	Crum 112	Edwards-Pavia
Elliott	Evans	Foster	Froelker	Gaskill
Graham	Gratz	Gross	Hall	Hand
Hartzler 123	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Legan	Linton	Lograsso	Loudon
Marshall 133	Murray 135	Pouche	Ridgeway	Robirds
Ross	Sallee	Schwab	Secrest	Shields
Sombart	Steen	Summers	Surface	Vogel
Wannenmacher	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 018

Barnes	Cierpiot	Copeland	Crump 152	Enz
Ford	Goward	Hickey	Keeven	Kissell
Klumb	Marble	O'Toole	Prost	Ribaudo
Thompson 37	Ward	Witt		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Stoll, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 991, as amended, with HA 3, pending, relating to motor carriers, was again taken up by Representative Koller.

Representative Schilling offered House Amendment No. 1 to House Amendment No. 3.

House Amendment No. 1
to
House Amendment No. 3

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 991, Page 2, Section 94.705, Lines 7 and 8 from the top of said page, by deleting all of said lines and inserting in lieu thereof the following: "**. The tax authorized by this section shall be in**"; and

Further amend said bill, Page 2, Section 94.705, Lines 17 through 19 from the top of said page, by deleting all of said lines and inserting in lieu thereof the following: "**bonds and their retirement by such tax**; except that no vote"; and

Further amend said bill, Page 3, Section 94.705, Lines 20 through 22 from the top of said page, by deleting all of said lines and inserting in lieu thereof the following:

"If a majority of the votes cast on the proposal**, provided in subdivision (1) of this subsection,** by the qualified voters voting thereon are in favor of the proposal,"; and

Further amend said bill, Page 4, Section 94.705, Lines 1 through 15 from the top of said page, by deleting all of said lines and inserting in lieu thereof the following: "then the ordinance and any amendments thereto shall be in effect. **If the four-sevenths majority of the votes, as required by the Missouri Constitution, Article VI, Section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect.** If a majority of the votes cast **on the proposal, as provided in subdivision (1) of this subsection,** by the qualified voters voting are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax [herein] authorized **in subdivision (1) of this subsection** unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. **If more than three-sevenths of the votes cast by the qualified voters voting are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other**

governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.".

On motion of Representative Schilling, House Amendment No. 1 to House Amendment No. 3 was adopted.

Representative Schilling moved that House Amendment No. 3, as amended, be adopted.

Which motion was defeated.

Representative Bray offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 991, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal sections 226.005, 390.150 and 622.010, RSMo 1994, relating to transportation, and to enact in"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "thirteen" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"Section A. Sections 226.005, 390.150 and 622.010, RSMo 1994, are repealed and fourteen new"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately before the number "390.150" the following:

"226.005,"; and

Further amend said bill, Section A, Line 3, by inserting after all of said line the following:

"226.005. 1. [There is hereby created a "Department of Highways" as provided by the constitution and laws of the state] **The department of highways and transportation shall hereafter be known as the "Department of Transportation"**. The department shall be in charge of a state highway commission as provided by the constitution and statutes.

2. The chief engineer shall receive an annual salary of not less than that provided for in section 105.950, RSMo. The salaries of the chief counsel, assistant chief engineer, the secretary of the commission, and of the division chiefs, department heads, engineers, and clerks and other employees shall be fixed by the commission.".

On motion of Representative Bray, House Amendment No. 4 was adopted.

On motion of Representative Koller, **HCS HB 991, as amended**, was adopted by the following vote:

AYES: 090

Backer	Bennett 15	Bland	Bonner	Boucher
Bray	Brown	Canuteson	Carter	Childers
Clayton 41	Crum 112	Crump 152	Daniel 42	Daniels
Davis	Days	Donovan	Dougherty	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Franklin	Garnett	Gibbons	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Harlan	Heckemeyer
Hoppe	Hosmer	Jacob	Kauffman	Kelly 27
Koller	Kreider	Lakin	Leake	Levin
Liese 133	Luetkenhaus	Lumpe	Marshall 26	Marshall
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murray 69	Murray 135	Naeger
O'Connor	O'Neill	Ostmann	Overschmidt	Pauley
Reynolds	Rizzo	Robirds	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Skaggs	Smith
Sombart 163	Stokan	Stoll	Tate	Thomason
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 050

Akin	Alter	Ballard	Bartelsmeyer	Boatright
Broach	Burton	Champion	Chrismer	Cooper

Edwards-Pavia	Evans	Foster	Froelker	Gaskill
Graham	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Kasten
Kelley 47	Legan	Linton	Lograsso	Long
Loudon	Mitchell	Murphy	Nordwald	Oetting
Pouche	Pryor	Richardson	Ridgeway	Ross
Sallee	Schwab	Scott	Secrest	Shields
Steen	Summers	Surface	Whiteside	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 021

Auer	Barnes	Barnett 4	Cierpiot	Copeland
Elliott	Enz	Goward	Hickey	Howerton
Keeven	Kissell	Klumb	Marble	O'Toole
Prost	Ribaudo	Shelton 57	Thompson 37	Ward

Witt

VACANCY: 002

On motion of Representative Koller, **HCS HB 991, as amended**, was ordered perfected and printed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 6 - Miscellaneous Bills and Resolutions

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 484**, entitled:

An act to repeal section 206.090, RSMo 1994, relating to certain hospital districts, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 491**, entitled:

An act to repeal section 578.012, RSMo 1994, relating to animal abuse, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 492**, entitled:

An act to repeal section 578.009, RSMo 1994, relating to animal neglect, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 506**, entitled:

An act to repeal section 172.287, RSMo 1994, relating to equipment grants for engineering programs, and to enact in lieu thereof one new section relating to the same subject, with a termination date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 532**, entitled:

An act to repeal sections 190.327 and 190.329, RSMo Supp. 1995, relating to emergency services, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 537**, entitled:

An act to amend chapter 41, RSMo, relating to military affairs, by adding thereto one new section relating to the search of persons upon military facilities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 589**, entitled:

An act to repeal section 386.310, RSMo 1994, relating to public utility and natural gas safety, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 630**, entitled:

An act to repeal sections 386.330 and 392.220, RSMo 1994, and section 386.250, RSMo Supp. 1995, relating to the regulation of certain telecommunication services provided by telephone cooperatives, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 670**, entitled:

An act to amend chapter 109, RSMo, by adding thereto one new section relating to the creation of the state document preservation fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 702**, entitled:

An act to repeal sections 21.530, 21.535 and 21.537, RSMo 1994, relating to the joint committee on capital improvements oversight, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 715**, entitled:

An act to repeal section 226.445, RSMo 1994, relating to the Mississippi River Parkway Commission, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 720**, entitled:

An act to repeal section 536.050, RSMo 1994, relating to administrative actions, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 731**, entitled:

An act to repeal section 287.160, RSMo 1994, relating to workers' compensation and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 763 & 545**, entitled:

An act to repeal section 376.406, RSMo 1994, and section 167.181, RSMo Supp. 1995, and to enact in lieu thereof three new sections for the purpose of improving access to immunization for children.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 769**, entitled:

An act to repeal sections 595.025 and 595.045, RSMo 1994, relating to the crime victims compensation fund, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 783**, entitled:

An act to repeal sections 288.380 and 347.187, RSMo 1994, and sections 351.488 and 358.150, RSMo Supp 1995, relating to unemployment compensation funds and to enact in lieu thereof four new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 803**, entitled:

An act to repeal section 536.024, RSMo Supp. 1995, relating to administrative rules, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 809**, entitled:

An act to repeal section 172.070, RSMo 1994, relating to curators' attendance at board meetings, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 818**, entitled:

An act to repeal section 70.500, RSMo Supp. 1995, relating to the Kansas and Missouri Metropolitan Culture District Compact, and to enact one new section relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 830**, entitled:

An act to repeal section 195.291, RSMo 1994, relating to prior and persistent drug offenders, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 835**, entitled:

An act to repeal section 351.750, RSMo 1994, and sections 351.200, 351.245, 351.250, 351.265, 351.320, 351.478 and 351.482, RSMo Supp. 1995, relating to corporations, and to enact in lieu thereof nine new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 842**, entitled:

An act to amend chapter 544, RSMo by adding one new section relating to federal law enforcement officials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 845**, entitled:

An act to repeal section 246.305, RSMo 1994, relating to certain levee districts, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 846**, entitled:

An act to repeal section 620.455, RSMo 1994, relating to the tourism commission, and enacting in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 850**, entitled:

An act to repeal section 544.155, RSMo 1994, relating to peace officer arrest powers, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1091**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Banks and Financial Institutions, Chairman Copeland reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **HB 1432**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1400**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1320, HB 981, HB 1042, HB 1109 and HB 1250**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1123**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Correctional and State Institutions, Chairman Crump reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 823**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 791**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1376 and HB 1501**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Fees and Salaries, Chairman Marshall (26) reporting:

Mr. Speaker: Your Committee on Fees and Salaries, to which was referred **HB 937**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 962**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 979**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1469**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 929**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1119**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 766**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1093**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1186**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1221**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1297**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1300**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1346**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1460**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 199**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE RESOLUTION NO. 199

WHEREAS, the Missouri House of Representatives fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the House has a long tradition of rendering assistance to those organizations which sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides the participants with a unique insight into the day-to-day operation of our state government:

NOW, THEREFORE, BE IT RESOLVED, by the members of the Missouri House of Representatives, Eighty-eighth General Assembly, that the Missouri YMCA be hereby granted permission to use the House Hearing Rooms from 9:00 a.m. to 3:00 p.m. for the purposes of Pre-Convention Training on Saturday, February 10, 1996; and

BE IT FURTHER RESOLVED, that the Missouri YMCA be granted permission to use the House Hearing Rooms and the House Chamber for the purpose of conducting its 47th Annual Model Legislature and Supreme Court during March 7, 8 and 9, 1996.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1379**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 773**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 809**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 986**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1174 and HB 1309**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1411**, begs

leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1441**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 806**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 831**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1081**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1247**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1282**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1355**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1404**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1541**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Science, Technology and Critical Issues, Chairman Smith reporting:

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **HB 1097**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1217**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on State Parks, Recreation and Natural Resources, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Recreation and Natural Resources, to which was referred **HB 1248**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1244**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 976**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1568, introduced by Representative Davis, relating to Juries.

HB 1569, introduced by Representative Kreider, et al, relating to motor vehicle franchise practices.

HB 1570, introduced by Representative Reynolds, relating to alternative education placement.

HB 1571, introduced by Representative Loudon, relating to certain patients' informed consent.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, February 26, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirtieth Day, Wednesday, February 21, 1996, pages 5 and 6, roll call, by showing Representatives Lakin and O'Connor voting "aye" rather than "absent with leave".

Pages 3 and 4, roll call, by showing Mr. Speaker voting "absent with leave" rather than "aye".

Pages 4 and 5, roll call, by showing Mr. Speaker voting "absent with leave" rather than "aye".

Page 13, by deleting line 27 and inserting in lieu thereof the following:

The following members' presence were noted: Gaw and Jacob.

COMMITTEE MEETINGS

BUDGET

Monday, February 26, 1996, 1:00 pm. Hearing Room 9. Executive Session to Follow.

DNR, DED Presentation. If time appropriations hearing. Amended

To be considered - HB 974, SB 540, HB 1445, HJR 49, HB 1312

BUDGET

Tuesday, February 27, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1007, HB 1008, HB 1009, HB 1010

FEES AND SALARIES

Wednesday, February 28, 1996, 3:00 pm. Hearing Room 1.

To be considered - Executive Session - HB 1286, Executive Session

HB 1532, Executive Session - HB 1538

INSURANCE

Tuesday, February 27, 1996, 8:00 am. Hearing Room 8. Executive Session

To be considered - HB 1540, HB 1442, HB 1472, HB 1547

LABOR

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 8.

Executive Session to Follow

To be considered - HB 1366, HB 1187, HB 1535

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 27, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 1057, HB 1210, HB 1268, HB 1269, HB 1270, HB 1285,

HB 1315, HB 1531, HB 1369

PUBLIC HEALTH AND SAFETY

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 9.

Executive Session to Follow

To be considered - HB 1317, HB 1080, HB 1127, HB 1510

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, February 26, 1996, 8:00 pm. Hearing Room 7.

To be considered - Executive Session - HB 829

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 5. Executive Session

To be considered - HB 1416

URBAN AFFAIRS

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 2.

Executive Session May Follow.

To be considered - HB 1525, HB 1548, HB 1033

HOUSE CALENDAR

THIRTY-SECOND DAY, MONDAY, FEBRUARY 26, 1996

HOUSE BILLS FOR SECOND READING

HB 1568 through HB 1571

HOUSE BILLS FOR PERFECTION

1 HCS HB 818 - Kreider & Witt

2 HB 1402 - Williams (121)

3 HB 1177,- McClelland, Williams (159)

4 HCS HB 800, 812, 817 & 821 - Hosmer

5 HCS HB 1301 & 1298 - McLuckie

6 HB 1377 - Bland

7 HCS HB 1172 - Jacob

8 HCS HB 1249 - O'Toole

9 HB 992 - Harlan

10 HB 832, HCA 1 - Montgomery

11 HCS HB 945 - Smith

12 HB 782, HCA 1 - Stokan

13 HCS HB 980 - Farnen

14 HCS HB 1169 & 1271, - Williams (121), Hosmer

15 HCS HB 1099 - Williams (159)

16 HB 1243, HCA 1 - Farmer

17 HCS HB 1207, 1288, 1408 & 1409 - Tate

18 HB 985 - Franklin

19 HB 1368 - May (108)

20 HCS HB 1363 - Mays (50)

HOUSE BILLS FOR THIRD READING

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202,

(Budget Fiscal 2-14-96) - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 1259, E.C. - Williams (121)

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HB 1313 - O'Neill

SENATE BILLS FOR SECOND READING

SB 484

SB 491

SB 492

SB 506

SB 532

SB 589

SB 630

SCS SB 763 & 545

SB 769

SB 809

SB 818

SCS SB 842

SB 537

SCS SB 670

SB 702

SB 715

SB 720

SB 731

SB 783

SB 803

SB 830

SB 835

SB 845

SB 846

SB 850

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House Journal

Second Regular Session, 88th General Assembly

THIRTY-SECOND DAY, Monday, February 26, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Clothe yourselves in love which binds everything together in perfect harmony." (Col. 3:14, NRSV)

We had our monthly Priests' Support group meeting last evening overnight at an old farmhouse. Nearby there is a lake. A couple of geese had made their home there and something happened to the male; the female was grieving loudly over his death. We began a discussion about the fact that this is normal for them, they are monogamous, the female does not mate again after a death and will mourn her mate all during the season. She may adopt and raise some orphan goslings.

Gracious God, it is amazing that you built in this bonding spirit so deeply even into the animal world that long friendships, and grief after a death are part of nature. Teach us to realize that the grieving process continues. Bless our own friendships, and our own marriages with the care they need and help us to do what needs to be done to preserve and defend and protect them from the many things that destroy them, especially neglect to work at the relationship and pray and worship together as couple and family. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as a Honorary Page for the Day, to serve without compensation: Richard Connor McIntosh.

The Journal of the thirty-first day was approved as corrected.

RESOLUTIONS

Representative Gaw offered House Resolution No. 365, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gaw and Gratz offered House Resolution No. 366, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Graham and Foster offered House Resolution No. 367, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wannenmacher offered House Resolution No. 368, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (69) offered House Resolution No. 369, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gibbons and Linton offered House Resolution No. 370, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 371, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Morgan, et al, offered House Resolution No. 372, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Steen offered House Resolution No. 373, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear (83) offered House Resolution No. 374, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 375, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears (1) offered House Resolution No. 376, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mitchell offered House Resolution No. 377, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1568 through **HB 1571** were read the second time.

SECOND READING OF SENATE BILLS

SB 484, SB 491, SB 492, SB 506, SB 532, SB 589, SB 630, SCS SB 763 & 545, SB 769, SB 809, SB 818, SCS SB 842, SB 537, SCS SB 670, SB 702, SB 715, SB 720, SB 731, SB 783, SB 803, SB 830, SB 835, SB 845, SB 846 and SB 850 were read the second time.

THIRD READING OF HOUSE BILL

HCS HB 1259, relating to county planning and zoning, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **HCS HB 1259** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Barnes	Chrismer	Edwards-Pavia	Goward	Howerton
Stoll				

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Elliott	Enz	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Graham
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Ward	Whiteside	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 014

Akin	Evans	Gibbons	Gross	Hall
Hegeman	Hendrickson	Hohulin	Lograsso	Loudon
Pryor	Steen	Wannenmacher	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Bland	Edwards-Pavia	Goward	Howerton
Shear 83	Stoll	Thompson 37	Wiggins	

VACANCY: 002

On motion of Representative Hosmer, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - FEDERAL MANDATE

HB 1313, relating to employment security, was taken up by Representative O'Neill.

On motion of Representative O'Neill, **HB 1313** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Edwards-Pavia	Goward	Howerton	Lumpe
O'Connor	Stoll	Thompson 37	Witt	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Ribaudo moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 818, relating to witness immunity, was taken up by Representative Kreider.

Representative Shields offered House Amendment No. 1.

Representative Witt raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Kreider, **HCS HB 818** was adopted.

On motion of Representative Kreider, **HCS HB 818** was ordered perfected and printed.

HB 1402, relating to certificate of need, was taken up by Representative Williams (121).

HB 1402 was placed on the Informal Calendar.

HB 1177, relating to unclaimed property proceeds, was taken up by Representative McClelland.

Representative McClelland offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1177, Page 1, In the Title, Line 2, by deleting the number "477.543" and inserting in lieu thereof the number "447.543"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the number "477.543" and inserting in lieu thereof the number "447.543".

On motion of Representative McClelland, House Amendment No. 1 was adopted.

Representative McClelland offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1177, Page 2, Section 447.543, Line 28, by striking the following: "**from the account**" and inserting in lieu thereof the following: "**to the general revenue fund. Such abandoned funds shall upon appropriation be transferred**".

On motion of Representative McClelland, House Amendment No. 2 was adopted.

Representative Pouche offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No.1177, Page 2, Section 447.543, Line 25, by inserting at the end of said line the following: "**If any abandoned property, including moneys or other tangible or intangible property, has a value of fifty dollars or less and has not been claimed by an owner or legal heir of the owner within five years after such property was delivered to the state as provided in subsection 1 of this section, such property shall escheat to the state and no owner or legal heir may claim such property after such five-year period.**".

On motion of Representative Pouche, House Amendment No. 3 was adopted.

On motion of Representative McClelland, **HB 1177, as amended,** was ordered perfected and printed.

HCS HBs 800, 812, 817 and 821, relating to crimes, was taken up by Representative Hosmer.

Representative Smith offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, Page 1, In The Title, Line 3, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting all of said line and inserting in lieu thereof, the following: "577.068, 1, 2 and 3, to read as follows:"; and

Further amend said bill, Page 10, Section 2, Line 17, by inserting after all of said line, the following:

"**Section 3. 1. In every criminal case, the court may assess as costs an amount not to exceed five dollars to be collected by the clerk of the court and distributed to the local Crimestoppers or other anticrime program in the county.**

2. Whenever a defendant is sentenced to probation, the court may impose as a condition of the sentence that the defendant contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced, to a local Crimestoppers or other anticrime program.

3. Whenever the local Crimestoppers or other anticrime program pays for a tip that leads to an arrest and conviction and the defendant is sentenced to probation, the court may impose as a condition of the probation that the defendant reimburse the local Crimestoppers or other anticrime program for any reasonable expenses incurred by the program on the offender's case, not to exceed the maximum amount of the fine authorized for the offense for which the defendant is sentenced.".

Representative Marshall (133) offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 800, 812, 817 & 821, page 1, section 3, line 1, by adding after the word "case", the following: "except for charges of exceeding the speed limits,"

On motion of Representative Marshall (133), House Amendment No. 1 to House Amendment No. 1 was adopted.

Representative Smith moved that House Amendment No. 1, as amended, be adopted.

Which motion was defeated.

Representative Gross offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bills No. 800, 812, 817 & 821, in the title, line two, by inserting after "565.084", the following "**566.010, 566.034**" and further amend line four of the title by deleting the word "nine" and inserting in lieu thereof the word "**eleven**";

and further amend said bill page 6, line 25, on that page by inserting after said line the following:

566.010. As used in chapters 566 and 568, RSMo:

(1) "Deviate sexual intercourse" means any act involving the genitals of one person and the **hand,** mouth, tongue, or anus of another person or a sexual act involving the penetration, however slight, of the male or female sex organ or the anus by a finger, instrument or object done for the purpose of arousing or gratifying the sexual desire of any person;

(2) "Sexual conduct" means sexual intercourse, deviate sexual intercourse or sexual contact;

(3) "Sexual contact" means any touching of another person with the genitals or any touching of the genitals or anus of another person, or the breast of a female person, for the purpose of arousing or gratifying sexual desire of any person;

(4) "Sexual intercourse" means any penetration, however slight, of the female sex organ by the male sex organ, whether or not an emission results.

566.034. 1. A person [commits] **is guilty of** the crime of statutory rape in the second degree if being [twenty-one] **nineteen** years of age or older, [he] **such person** has sexual intercourse with another person who is less than seventeen years of age.

2. Statutory rape in the second degree is a class C felony.

Representative Gross moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Ridgeway offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 800, 812, 817 & 821, page 10, section 577.068, line 17, by adding at the end thereof, a new section as follows:

Persons accuses of committing an element of any crime in a series of crimes that arise out of the same set of operative facts may be prosecuted in any county in which such element occurred.

On motion of Representative Ridgeway, House Amendment No. 3 was adopted.

Representative Reynolds offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, Page 6, Section 544.216, Line 20,

by inserting immediately after the word "state" on said line the following:

"**that are certified pursuant to Chapter 590 RSMo**,"

On motion of Representative Reynolds, House Amendment No. 4 was adopted by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Bray	Broach	Brown	Burton
Carter	Champion	Childers	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Smith	Sombart	Steen	Stokan	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 015

Barnes	Boucher	Canuteson	Chrismer	Edwards-Pavia
Goward	Howerton	Koller	O'Connor	Ribaudo
Skaggs	Stoll	Thompson 37	Ward	Witt

VACANCY: 002

Representative Summers offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, Page 1, In the title, Line 2, by deleting the words "544.216 and 566.037" and inserting in lieu thereof "544.216, 556.037 and 565.070"; and

Further amend said bill Page 1, In the title, Line 3, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the words "544.216 and 566.037" and inserting in lieu thereof "544.216, 556.037 and 565.070"; and

Further amend said bill Page 1, Section A, Line 2, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting immediately after the number "556.037," the number "565.070,"; and

Further amend said bill, Page 6, Section 556.037, Line 4, by inserting after all of said line the following:

"565.070. 1. A person commits the crime of assault in the third degree if:

(1) [He] **The person** attempts to cause or recklessly causes physical injury to another person; or

(2) With criminal negligence [he] **the person** causes physical injury to another person by means of a deadly weapon; or

(3) [He] **The person** purposely places another person in apprehension of immediate physical injury; or

(4) [He] **The person** recklessly engages in conduct which creates a grave risk of death or serious physical injury to another person; or

(5) [He] **The person** knowingly causes physical contact with another person knowing the other person will regard the contact as offensive or provocative.

2. **Except as provided in subsections 3 and 4 of this section,** assault in the third degree is a class A misdemeanor [unless committed under subdivision (3) or (5) of subsection 1 in which case it is a class C misdemeanor].

3. A person who violates the provisions of subdivision (3) or (5) of subsection 1 of this section is guilty of a class C misdemeanor.

4. A person who commits the crime of assault as provided in subsection 1 of this section more than two times against any household or family member as defined in section 455.010, RSMo, is guilty of a class D felony for the third or any subsequent offense. The offenses described in this subsection may be against the same household or family member or against different household or family members.".

On motion of Representative Summers, House Amendment No. 5 was adopted.

Representative Marble offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill Nos. 800, 812, 817 & 821, page 9, section 577.068, line 1, by placing a bracket before the numeral "1" and by closing the bracket on line 6 after the word "officer".

Further amend said bill by adding the following beginning at line 1, after 577.068, the following:

1. No person shall knowingly leave the scene where an injury or death has occurred due to an accident or the negligence of such person, without giving such person's name, address and driver's license number, if applicable, to a law enforcement officer.

HCS HBs 800, 812, 817 and 821, as amended, with House Amendment No. 6, pending, was laid over.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 332 - Miscellaneous Bills and Resolutions

HR 347 - Federal-State Relations and Veterans Affairs

HR 353 - Miscellaneous Bills and Resolutions

HR 364 - Social Services, Medicaid and the Elderly

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 7 - Education - Elementary and Secondary

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1553 - Motor Vehicle and Traffic Regulations

HB 1554 - Judiciary and Ethics

HB 1555 - Education - Elementary and Secondary

HB 1556 - Elections

HB 1557 - Elections

HB 1558 - Science, Technology and Critical Issues

HB 1559 - Governmental Organization and Review

HB 1560 - Elementary - Higher

HB 1561 - Professional Registration and Licensing

HB 1562 - Judiciary and Ethics

HB 1563 - Miscellaneous Bills and Resolutions

HB 1564 - Local Government and Related Matters

HB 1565 - Labor

HB 1566 - Professional Registration and Licensing

HB 1567 - Local Government and Related Matters

HB 1568 - Judiciary and Ethics

HB 1569 - Motor Vehicle and Traffic Regulations

HB 1570 - Education - Elementary and Secondary

HB 1571 - Public Health and Safety

RECOMMITTAL OF HOUSE BILLS

The following House Bills were recommitted to the Committee indicated:

HB 831 - Public Health and Safety

HB 1091 - Agri-Business

COMMITTEE REPORTS

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HJR 42**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 894**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1199, HB 1357 and HB 1393**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 1372**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 852**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill 852, Page 9, Section 105.498, Line 22, by inserting immediately after said line the following:

"386.200. 1. Every commissioner, the public counsel and every person employed or appointed to office, either by the commission or by the public counsel, is hereby forbidden and prohibited to solicit, suggest, request or recommend, directly or indirectly, to any public utility, corporation or person subject to the supervision of the commission, or to any officer, attorney, agent or employee thereof, the appointment of any person to any office, place, position or employment. And every such public utility, corporation and person, and every officer, attorney, agent and employee thereof, is hereby forbidden and prohibited to offer to any commissioner, the public counsel, or to any person employed by the commission or by the public counsel, any office, place, appointment or position, or to offer or give to any commissioner, to the public counsel, or to any person employed or appointed to office by the commission or by the public counsel, any free pass or transportation or any reduction in fare to which the public generally are not entitled or , free carriage for property or any present, gift, entertainment [or]**,** gratuity [of any kind] **or any other expenditure, as defined in section 105.470, RSMo**.

2. [If any commissioner, the public counsel, or any person employed or appointed to office by the commission or the public counsel, shall violate any provision of this section he shall be removed from the office held by him. Every commissioner, the public counsel, and every person employed or appointed to office by the commission, or by the public counsel, shall be and be deemed to be a public officer.] **The Missouri ethics commission shall receive complaints alleging any violation of subsection 1 of this section, pursuant to section 105.957, RSMo. The Missouri ethics commission shall investigate the complaint and take such other action as provided by section**

105.961, RSMo. Upon a final determination that a violation of subsection 1 of this section has occurred, the violator shall be terminated from employment subject to the appeals process provided for such employment by law and shall not be eligible for further employment by the state of Missouri thereafter. A final determination by the Missouri ethics commission that a violation of subsection 1 of this section has occurred shall constitute cause for removal from office for cause of any commissioner. The governor shall remove such commissioner from office for such cause.

3. If any public utility violates any provision of this section, it shall be liable to the state of Missouri in a civil action in any court of competent jurisdiction for the assessment of a civil penalty not to exceed twenty thousand dollars. The penalty provided in this subsection shall be in addition to any other penalty provided for violation of the provisions of this chapter. The attorney general shall bring the action authorized in this subsection. The action may be brought in any county where the defendant public utility's principal place of business is located or where the violation occurred, or where the public utility's registered agent is located. The penalty assessed [under] **pursuant to** the provisions of this subsection shall be paid into the state treasury to the credit of general revenue.

4. Any officer, agent or employee of any public utility who violates any provision of this section is guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment.

5. Every commissioner, the public counsel and every person employed or appointed to office, either by the commission or the public counsel is hereby forbidden, for a period of two years following the termination of such person's office or employment by the commission or by the public counsel, to accept any appointment to any office, place, position or employment by any person, corporation or other entity subject to the supervision or regulation of the commission

6. Any person guilty of knowingly violating subsection 5 of this section shall be punished as follows;

(1) For the first offense, such person is guilty of a class B misdemeanor;

(2) For the second and subsequent offenses, such person is guilty of a class D felony."

And further amend said bill by amending the title and enacting clause accordingly.

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 941**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 642 & 819**, entitled:

An act to repeal section 306.110, RSMo 1994, relating to public safety offenses, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 58, introduced by Representative Lumpe, relating to certain funds in the state treasury.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1572, introduced by Representative Tate, relating to sustainable agriculture systems.

HB 1573, introduced by Representative Ridgeway, relating to planning and zoning in certain counties.

HB 1574, introduced by Representative Loudon, relating to animal fighting.

HB 1575, introduced by Representative Loudon, relating to crimes and punishments.

HB 1576, introduced by Representative Stokan, relating to certain income tax credits.

HB 1577, introduced by Representative Boucher, relating to illegal parking of motor vehicles.

HB 1578, introduced by Representative Smith, relating to security for certain convenience businesses.

HB 1579, introduced by Representative Skaggs, relating to federal law enforcement officials.

HB 1580, introduced by Representative Whiteside, et al, relating to the department of corrections.

WITHDRAWAL OF HOUSE BILLS

February 21, 1996

The Honorable Steve Gaw, Speaker

House of Representatives

State Capitol

Room 308

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **House Bill 1307** be withdrawn. Thank you for your consideration.

Respectfully submitted,

/s/ Martin "Bubs" Hohulin

February 26, 1996

The Honorable Steve Gaw

Speaker of the House

Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

I respectfully request that **HB 868**, **HB 1130**, and **HB 1344** be withdrawn.

Your attention and consideration of this matter is greatly appreciated.

Respectfully submitted,

/s/ Jim Kreider

State Representative

142nd District

The following member's presence was noted: Stoll.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, February 27, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Twenty-Ninth Day, Tuesday, February 20, 1996, page 2, line 3, by inserting after "SCS SB 668" the following: "SCS SB 677, SB 693, SB 710, SB 721, SB 728, SB 730, SB 733 and SB 766".

Pages 9 and 10, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Page 19, by inserting after line 17, the following: "The following member's presence noted: Witt".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 28, 1996, 3:00 pm. Hearing Rooms 3 & 4. Executive Session.

To be considered - HB 1449

BUDGET

Tuesday, February 27, 1996, 8:30 am. Hearing Room 9.Amended Notice.

Executive Session on previously heard bills.

To be considered - HB 1007, HB 1008, HB 1009, HB 1010

BUDGET

Tuesday, February 27, 1996. Hearing Room 9 one hour after morning adjournment.

To be considered - HB 1007, HB 1008, HB 1009, HB 1010

BUDGET

Wednesday, February 28, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1008, HB 1009, HB 1010, HB 1011

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 28, 1996, 7:45 pm. Hearing Room 8. Executive Session Possible.

To be considered - HB 1089, HB 1436, HB 1533

CIVIL AND CRIMINAL LAW

Wednesday, February 28, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 1370, HB 1438, HB 927, HB 1331, HB 1245, HB 1308

CONSUMER PROTECTION

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 1. Amended Notice.

To be considered - HB 1440, HB 1164

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, February 27, 1996, 8:00 pm. Hearing Rooms 3 & 4. Executive Session.

To be considered - HB 1491, HB 1359, HB 1543, HB 1431

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, February 27, 1996, 3:00 pm. Hearing Room 8.

To be considered - HB 1421, HB 1201, HB 1523, HB 1542, HB 1463, HB 1209, HB 1462

EDUCATION - HIGHER

Wednesday, February 28, 1996, 3:00 pm. Hearing Room 8. Executive Session to Follow.

To be considered - HB 1236, HB 1471, HB 1560

ELECTIONS

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 7.

To be considered - HB 1557, HB 1518, HB 1529 Executive Session to follow.

To be considered - HB 778, HB 845, HB 867, HB 893, HB 1184, HB 1335, HB 1401, HB 1477, HB 1489

FEES AND SALARIES

Wednesday, February 28, 1996, 3:00 pm. Hearing Room 1.

To be considered - Executive Session - HB 1286, Executive Session - HB 1532,

Executive Session - HB 1538

INSURANCE

Tuesday, February 27, 1996, 8:00 am. Hearing Room 8. Executive Session.

To be considered - HB 1540, HB 1442, HB 1472, HB 1547

JUDICIARY AND ETHICS

Tuesday, February 27, 1996, 3:00 pm. Hearing Room 5. Democratic Policy Group Caucus.

Executive Session May Follow.

To be considered - HB 1090, HB 1534, HB 1468

LABOR

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 8. Executive Session to Follow.

To be considered - HB 1366, HB 1187, HB 1535

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 28, 1996, 8:30 am. Hearing Room 7. Executive Session.

To be considered - HR 332, HR 305, HR 353, HCR 6

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, February 27, 1996, 3:00 pm. Hearing Room 7.

To be considered - HB 1057, HB 1210, HB 1268, HB 1269, HB 1270, HB 1285,

HB 1315, HB 1531, HB 1369

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 28, 1996, 8:00 pm. Hearing Room 5.

To be considered - HB 1422, HB 1515, HB 1537, HB 1539, HB 1561, HB 1566

PUBLIC HEALTH AND SAFETY

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 9. Executive Session to Follow.

To be considered - HB 1317, HB 1080, HB 1127, HB 1510

RETIREMENT

Wednesday, February 28, 1996, 8:00 pm. Hearing Room 2. Executive Session to Follow.

To be considered - HB 1500

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 5. Executive Session.

Amended Notice

To be considered - Executive Session - HB 1416, Executive Session - HB 1549

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Thursday, February 29, 1996, 8:00 pm. Hearing Room 5. Executive Session.

To be considered - HB 1416

TRANSPORTATION

Wednesday, February 28, 1996, 1:00 pm. Hearing Room 5. Executive Session to Follow.

To be considered - HB 1524

TRAVEL COMMITTEE

Wednesday, February 28, 1996, 9:00 am. Hearing Room 5.

URBAN AFFAIRS

Tuesday, February 27, 1996, 8:00 pm. Hearing Room 2. Executive Session May Follow.

To be considered - HB 1525, HB 1548, HB 1033

HOUSE CALENDAR

THIRTY-THIRD DAY, TUESDAY, FEBRUARY 27, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 58

HOUSE BILLS FOR SECOND READING

HB 1572 through HB 1580

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 800, 812, 817 & 821, as amended, with HA 6 pending - Hosmer
2 HCS HB 1301 & 1298 - McLuckie
3 HB 1377 - Bland
4 HCS HB 1172 - Jacob
5 HCS HB 1249 - O'Toole
6 HB 992 - Harlan
7 HB 832, HCA 1 - Montgomery
8 HCS HB 945 - Smith
9 HB 782, HCA 1 - Stokan
10 HCS HB 980 - Farnen
11 HCS HB 1169 & 1271, Williams (121) - Hosmer
12 HCS HB 1099 - Williams (159)
13 HB 1243, HCA 1 - Farmer
14 HCS HB 1207, 1288, 1408 & 1409 - Tate
15 HB 985 - Franklin
16 HB 1368 - May (108)
17 HCS HB 1363 - Mays (50)
18 HB 1113 - Stoll
19 HB 811 - Smith
20 HB 962 - Lumpe
21 HB 1361, HCA 1, Gibbons - Treadway
22 HCS HB 1372 - Mays (50)
23 HCS HB 1174 & 1309 - May (108)
24 HCS HB 1159, 842 & 799 - Jacob
25 HB 908, HCA 1 - Thomason (163)
26 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
27 HB 852, HCA 1 - Canuteson
28 HCS HB 999 - Treadway
29 HCS HB 1186 - Hoppe
30 HCS HB 1237 - Rizzo
31 HB 1241 - Witt
32 HCS HB 1185 - McClelland
33 HB 839 - Luetkenhaus
34 HB 1411 - Loudon
35 HCS HB 1149, 1150 & 1240 - Jacob
36 HCS HB 894 - Bray
37 HCS HB 1199, 1357 & 1393, Reynolds - Kissell

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HOUSE BILLS FOR PERFECTION - CONSENT

(February 27, 1996)

01 HB 986 - Luetkenhaus
02 HB 1244, Farmer - Cooper
03 HB 1097 - Hosmer
04 HB 1541, Hagan-Harrell - Franklin
05 HB 1217 - Shear
06 HB 1379, Gross - Lumpe
07 HB 1404 - O'Toole
08 HB 1469 - Skaggs
09 HB 979 - Crump
10 HB 823 - Barnett
11 HB 937 - Marshall (26)
12 HB 1400 - Lumpe
13 HB 806 - Hagan-Harrell
14 HB 1081 - Carter
15 HB 1123 - Mays (50)
16 HB 766 - Clayton
17 HB 1248 - Scheve
18 HB 1460, Wiggins - Nordwald
19 HB 809, Shields - Tate
20 HB 1300 - Hartzler (123)
21 HB 1346 - Van Zandt
22 HB 1297 - Lakin
23 HB 1355 - O'Toole
24 HB 1221 - Farnen
25 HB 1093 - Foley

26 HB 929 - Auer
27 HB 1119 - Lakin
28 HB 1432, Leake - Liese
29 HB 1282, Shear, Boucher, - Dougherty
30 HB 791, Ross - Lograsso
31 HB 1441, Ross - Lakin
32 HB 941 - Smith
33 HB 773 - Backer

HOUSE BILLS FOR THIRD READING

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202, (Budget Fiscal 2-14-96) - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 991 - Koller

SENATE BILLS FOR SECOND READING

SCS SB 642 & 819

HOUSE RESOLUTION

HR 199 - Gratz & Vogel

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

THIRTY-THIRD DAY, Tuesday, February 27, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"These people are like irrational animals...they slander what they do not understand." (2 Pet. 2:12, NRSV)

Daily we hear of new bombings and shootings, at home and overseas. At times, it seems as if the only news is of tragedy. Then, we turn to page two or wait until the fast, breathless headlines are over, and we find heart-warming stories. There are people willing to talk, to listen to one another, to have conversations.

We ask today, God of Understanding, for the spirit of having an attentive heart, and an ear for listening. We begin at home, not trying to watch TV and listen to the hurt of a family member at the same time. We continue the process here, making sure that the voices which seek our attention are given a fair hearing. We pray that the same atmosphere of engaging in healthy and honest conversation would permeate the larger questions in life, in this year's political debate, in relations between states and nations, between ethnic and religious groups around the globe. Above all, we ask for a prayerful heart, gracious God, so that whatever words we speak would be influenced by what we have heard from you to discipline them and cleanse them of hatred, of hurt and of harm. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kyle Puetz, Susan Smythe, Valerie Elrod, Dana Rogers and Kimberly Shaw.

The Journal of the thirty-second day was approved as corrected.

RESOLUTIONS

Representative Surface offered House Resolution No. 378, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 379, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 380, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pauley offered House Resolution No. 381, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative O'Connor offered House Resolution No. 382, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution Nos. 383 through 390, which were referred to the Committee on

Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 58 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1572 through **HB 1580** were read the second time.

SECOND READING OF SENATE BILL

SCS SB 642 & 819 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 991**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **CCR SS #2 SS HB 1047**, **as amended**, and requests the House grant further conference and further that the conferees be bound on language for Highway 71 and the county speed limit only.

The Speaker assumed the Chair.

MOTIONS

Representative Thomason (163) moved that the House grant the Senate a further conference on **CCR SS #2 SS HB 1047, as amended,** and that the conferees be bound on language for Highway 71 and the county speed limit only.

Which motion was defeated by the following vote:

AYES: 025

Backer	Bennett 15	Boucher	Cooper	Crump 152
Daniels 41	Dougherty	Hohulin	Kelly 27	Klumb
Kreider	Lakin	Marshall 26	Prost	Scheve
Schilling	Sears 1	Skaggs	Smith	Stokan
Thomason 163	Thompson 37	Williams 121	Witt	Mr. Speaker

NOES: 132

Akin	Alter	Auer	Ballard	Barnett 4
Bartelsmeyer	Bland	Boatright	Bonner	Bray
Broach	Brown	Burton	Canuteson	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Daniel 42	Davis	Days	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kissell	Koller	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Pryor	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Sombart	Steen	Stoll	Summers
Surface	Tate	Treadway	Van Zandt	Vogel

Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 159	Wooten			

PRESENT: 002

Carter	Troupe

ABSENT WITH LEAVE: 002

Barnes	Howerton

VACANCY: 002

Representative Thomason (163) moved that the House refuse to grant the Senate a further conference on **CCR SS #2 SS HB 1047, as amended**.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HCS HBs 800, 812, 817 and 821, as amended, with House Amendment No. 6, pending, relating to crimes, was again taken up by Representative Hosmer.

House Amendment No. 6 was withdrawn.

Representative Marble offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, page 9, section 577.068, line 1, by placing a bracket before the Number "1" and by closing the bracket on Line "12" after the word "shooting".

Further amend said bill by adding the following, beginning at Line "1" after 577.068 the following:

1. No person shall knowingly leave the scene where a serious physical injury as defined in Section 565.002 RSMo or death has occurred due to an accident or the negligence of that person, without giving such person's name, address and driver's license number, if applicable, to a law enforcement officer or emergency medical personnel. If no such officer or emergency medical personnel are in the vicinity, the person shall provide such information to the nearest police station or law enforcement officer. A person is not in violation of this section if the person leaves the scene in order to obtain medical assistance or contact law enforcement authorities to notify them of the accident, or the victim requests that no assistance be given.

On motion of Representative Marble, House Amendment No. 6 was adopted.

Representative May (108) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 1, Section 566.083, Line 18, by inserting after all of said line, the following:

"568.045. 1. A person commits the crime of endangering the welfare of a child in the first degree if:

(1) He knowingly acts in a manner that creates a substantial risk to the life, body, or health of a child less than seventeen years old; or

(2) He knowingly engages in sexual conduct with a [person] **child** under the age of seventeen years over whom he is a parent, guardian, or otherwise charged with the care and custody.

2. Endangering the welfare of a child in the first degree is a class D felony unless**;**

(1) The offense is committed as part of a ritual or ceremony, in which case the crime is a class C felony[.]**; or**

(2) A child dies as a result of injuries sustained from conduct chargeable under this section, in which case the crime is a class A felony.

568.050. 1. A person commits the crime of endangering the welfare of a child in the second degree if:

(1) He with criminal negligence acts in a manner that creates a substantial risk to the life, body or health of a child less than seventeen years old; or

(2) He knowingly encourages, aids or causes a child less than seventeen years old to engage in any conduct which causes or tends to cause the child to come within the provisions of paragraph (d) of subdivision (2) of subsection 1 or subdivision (3) of subsection 1 of section 211.031, RSMo; or

(3) Being a parent, guardian or other person legally charged with the care or custody of a child less than seventeen years old, he recklessly fails or refuses to exercise reasonable diligence in the care or control of such child to prevent him from coming within the provisions of paragraph (c) of subdivision (1) of subsection 1 or paragraph (d) of subdivision (2) of subsection 1 or subdivision (3) of subsection 1 of section 211.031, RSMo; or

(4) He knowingly encourages, aids or causes a child less than seventeen years of age to enter into any room, building or other structure which is a public nuisance as defined in section 195.130, RSMo.

2. Nothing in this section shall be construed to mean the welfare of a child is endangered for the sole reason that [he] **the child** is being provided nonmedical remedial treatment recognized and permitted under the laws of this state.

3. Endangering the welfare of a child in the second degree is a class A misdemeanor unless**:**

(1) The offense is committed as part of a ritual or ceremony, in which case the crime is a class D felony[.]**; or**

(2) A child dies as a result of injuries sustained from conduct chargeable under this section, in which case the crime is a class A felony.

568.060. 1. A person commits the crime of abuse of a child if he:

(1) Knowingly inflicts cruel and inhuman punishment upon a child less than seventeen years old, or

(2) Photographs or films a child less than eighteen years old engaging in a prohibited sexual act or in the simulation of such an act or who causes or knowingly permits a child to engage in a prohibited sexual act or in the simulation of such an act for the purpose of photographing or filming the act.

2. As used in this section "prohibited sexual act" means any of the following, whether performed or engaged in either with any other person or alone: sexual or anal intercourse, masturbation, bestiality, sadism, masochism, fetishism, fellatio, cunnilingus, any other sexual activity or nudity, if such nudity is to be depicted for the purpose of sexual stimulation or gratification of any individual who may view such depiction.

3. Abuse of a child is a class C felony, unless:

(1) In the course thereof the person inflicts serious emotional injury on the child, or the offense is committed as part of a ritual or ceremony in which case the crime is a class B felony[.]**; or**

(2) A child dies as a result of injuries sustained from conduct chargeable under this section, in which case the crime is a class A felony.

4. As used in this section, the word "fetishism" means a condition in which erotic feelings are excited by an object or body part whose presence is psychologically necessary for sexual stimulation or gratification.; and

Further amend the title and enacting clause accordingly.

On motion of Representative May (108), House Amendment No. 7 was adopted.

Representative Shields offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, Page 1, In the Title, Line 2, by deleting "and 556.037" and inserting in lieu thereof the following: ", 556.037 and 557.036"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting "and 556.037" and inserting in lieu thereof the following: ", 556.037 and 557.036"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting immediately after the number "556.037,", the number "557.036,"; and

Further amend said bill, Page 6, Section 556.037, Line 4, by inserting after all of said line, the following:

"557.036. 1. Subject to the limitation provided in subsection [3] **2** of this section, upon a finding of guilt upon verdict or plea **in all cases of felony and misdemeanor**, the court shall decide the extent or duration of sentence or other disposition **as authorized by law** to be imposed under all the circumstances, having regard to the nature and circumstances of the offense and the history and character of the defendant and render judgment accordingly.

2. [The court shall instruct the jury as to the range of punishment authorized by statute and upon a finding of

guilt to assess and declare the punishment as a part of their verdict, unless

(1) The defendant requests in writing, prior to voir dire, that the court assess the punishment in case of a finding of guilt, or

(2) The state pleads and proves the defendant is a prior offender, persistent offender, dangerous offender, or persistent misdemeanor offender as defined in section 558.016, RSMo. If the jury finds the defendant guilty but cannot agree on the punishment to be assessed, the court shall proceed as provided in subsection 1 of this section. If there be a trial by jury and the jury is to assess punishment and if after due deliberation by the jury the court finds the jury cannot agree on punishment, then the court may instruct the jury that if it cannot agree on punishment that it may return its verdict without assessing punishment and the court will assess punishment.

3. If the jury returns a verdict of guilty and declares a term of imprisonment as provided in subsection 2 of this section, the court shall proceed as provided in subsection 1 of this section except that any term of imprisonment imposed cannot exceed the term declared by the jury unless the term declared by the jury is less than the authorized lowest term for the offense, in which event the court cannot impose a term of imprisonment greater than the lowest term provided for the offense.

4.] **Where the offense of murder in the first degree is submitted to the trier without a waiver of the death penalty, and the trier has returned a verdict of guilty to the offense after the first stage of trial as provided in subsection 2 of section 565.030, RSMo, if the trier is a jury, the jury shall be instructed as to the authorized punishment as provided in subsection 4 of section 565.030, RSMo. If the jury is unable to decide or agree upon punishment, the court shall assess punishment as provided in subsection 4 of section 565.030, RSMo.**

3. If the defendant is found to be **guilty of a felony offense upon verdict or plea, and is also found to be** a prior offender, persistent offender, dangerous offender or persistent misdemeanor offender as defined in section 558.016, RSMo[:

(1) If he has been found guilty of an offense, the court shall proceed as provided in section 558.016, RSMo, or

(2) If he has been found guilty of a class A felony, the court may impose any sentence authorized for the class A felony.

5. The court shall not seek an advisory verdict from the jury in cases of prior offenders, persistent offenders, or dangerous offenders; if an advisory verdict is rendered, the court shall not deem it advisory, but shall consider it as mere surplusage.]**, the court shall proceed to decide the extent or duration of sentence as provided in section 558.016, RSMo.**".

On motion of Representative Shields, House Amendment No. 8 was adopted.

Representative Kissell offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 1, In the Title, Line 2, by inserting after the word "sections" the number "544.170,"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "nine" and inserting in lieu thereof the word "ten"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the number "544.170,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "nine" and inserting in lieu thereof the word "ten"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the number "302.302," the number "544.170,"; and

Further amend said bill, Page 6, Section 302.302, Line 1 from the top of said page, by inserting after all of said line the following:

"544.170. **1. Except as provided in subsection 2 of this section,** all persons arrested and confined in any jail[, calaboose] or other place of confinement by any peace officer, without warrant or other process, for any alleged breach of the peace or [other criminal] **misdemeanor** offense, or on suspicion thereof, shall be discharged from [said] **such** custody within twenty hours from the time of such arrest, unless they shall be charged with a criminal offense by the oath of some credible person, and be held by warrant to answer to such offense; and every such person shall, while so confined, be permitted at all reasonable hours during the day to consult with counsel or other persons in [his] **such person's** behalf; and any person or officer who shall violate the provisions of this section, by refusing to release any person who shall be entitled to such release, or by refusing to permit [him] **such person** to see and consult with counsel or other persons, or who shall transfer any such prisoner to the custody or control of another, or to another place, or prefer against such person a false charge, with intent to avoid the provisions of this section, [shall be deemed] **is** guilty of a misdemeanor.

2. All persons arrested and confined in any jail or other place of confinement by any peace officer, without warrant or other process, for any alleged felony violation of the criminal laws of this state or the United States, or other criminal offense which would amount to a felony, or on suspicion thereof, shall, notwithstanding the provisions of subsection 1 of this section, be discharged from such custody within thirty-six hours from the time of such arrest, unless charged with a criminal offense by the oath of some credible person, and be held by warrant to answer to such offense. Every such person shall, while so confined, be permitted at all reasonable hours during the day to consult with counsel or other persons in such person's behalf, and any person or officer who violates the provisions of this section by refusing to release any person who shall be entitled to such release, or by refusing to permit such person to see and consult with counsel or other persons, or who shall transfer any such prisoner to the custody or control of another, or to another place, or prefer against such person a false charge, with intent to avoid the provisions of this section, is guilty of a misdemeanor.".

On motion of Representative Kissell, House Amendment No. 9 was adopted.

Representative Hall offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, page 10, line 18, by adding the following language:

Repealing section 566.030.2, RSMo 1994, and enacting a new section 566.030.2 as follows:

566.030.2 Forcible rape or an attempt to commit forcible rape is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than ten years, unless in the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the penalty is capital punishment or life imprisonment as determined by a jury if a jury trial has resulted in a guilty judgment or by a judge if no jury trial was had.

Representative Hall moved that House Amendment No. 10 be adopted.

Which motion was defeated.

Representative Childers offered House Amendment No. 11.

House Amendment No. 11

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 1, In the Title, Line 4, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting "and 2" and inserting in lieu thereof the following: ", 2 and 3"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 10, Section 2, Line 17, by inserting after all of said line the following:

"**Section 3. 1. A person commits the crime of unauthorized jumping from a boat if the person jumps or dives from a commercial passenger boat without the permission of the operator of the boat.**

2. Unauthorized jumping from a boat is a class C misdemeanor.".

On motion of Representative Childers, House Amendment No. 11 was adopted.

Representative Scheve offered House Amendment No. 12.

House Amendment No. 12

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, page 10, line 17, by inserting after all of said line the following:

Section 1. If a person violates any provision of chapter 407, RSMo, and the violation is committed against a person who is sixty-five years of age or older, in addition to any criminal penalty or fees authorized by other sections of law, a fee of five hundred dollars shall be assessed as costs in the court proceeding. Such fee, collected by the clerks of the court, shall be deposited in the crime victims' compensation fund established in section 595.045, RSMo

.

Representative Scheve moved that House Amendment No. 12 be adopted.

Which motion was defeated.

Representative Crump offered House Amendment No. 13.

House Amendment No. 13

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, page 8, section 571.030, line 54, by inserting after all of said line the following:

5. Subdivision (1) of Subsection 1 of this section, shall not apply to the operator of a motor vehicle who possesses a legally owned firearm located in the passenger compartment of a motor vehicle. The operator of the motor vehicle is excluded from the provision of this section if the operator is a convicted felon or is currently the subject of pending criminal charges.

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 13.

House Substitute Amendment No. 1
for
House Amendment No. 13

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817, & 821, page 8, section 571.030, line 54, by inserting after all of said line the following:

The **operator** of a motor vehicle who possesses a legally owned firearm may carry such weapon in a locked compartment of a motor vehicle. The operator of the motor vehicle is excluded from the provision of this section if the operator is a convicted felon or is currently the subject of pending criminal charges.

HCS HBs 800, 812, 817 and 821, as amended, with House Substitute Amendment No. 1 for House Amendment No. 13 and House Amendment No. 13 pending, was laid over.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1572 - Agriculture

HB 1573 - Local Government and Related Matters

HB 1574 - Civil and Criminal Law

HB 1575 - Civil and Criminal Law

HB 1576 - Ways and Means

HB 1577 - Motor Vehicle and Traffic Regulations

HB 1578 - Science, Technology and Critical Issues

HB 1579 - Civil and Criminal Law

HB 1580 - Correctional and State Institutions

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1581, introduced by Representative Oetting, relating to sales taxation.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1380**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SCS SB 540**, begs leave to report it has examined the same and recommends that it **Do Pass.**

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 19**.

SENATE CONCURRENT RESOLUTION NO. 19

WHEREAS, a one-page memo that Secretary of the Navy John Dalton signed January 12, 1995, clears the way for inactive Naval vessels to be scrapped or turned into museums; and

WHEREAS, the historic Battleship U.S.S. Missouri (BB-63) has been stricken from the Navy's rolls owing to the financial costs that would be incurred in maintaining the vessel as part of our national defense force; and

WHEREAS, the U.S.S. Missouri is best remembered within the annals of our nation's proud military tradition as the site of the formal surrender of Japan on September 2, 1945, an event which brought to an end the greatest global conflict in history; and

WHEREAS, the U.S.S. Missouri is currently located at mooring "G" at the Naval Inactive Ships Maintenance Facility located in Puget Sound Naval Shipyard, Bremerton, Washington; and

WHEREAS, special commemoration ceremonies were conducted aboard the U.S.S. Missouri on September 2, 1995, marking the Fiftieth Anniversary of VJ-Day, and two days later, the ship was closed to visitors; and

WHEREAS, several ideas have been put forth as to the final resting place for this gallant Lady of the United States Navy by a number of interested parties, who have firmly determined that this historic vessel should not be scrapped, but rather, be preserved for the education and enrichment of future generations; and

WHEREAS, though the state of Missouri would be proud to preserve the U.S.S. Missouri within its boundaries, the fact is that the guaranteed depth of water on the Mississippi River Channel is much too shallow to allow the ship to reach St. Louis or any other port in Missouri; and

WHEREAS, the U.S.S. Missouri (BB-63) Memorial Association, Inc., of Honolulu, Hawaii, has expressed an interest in obtaining the Missouri and placing her on display in Pearl Harbor as a Naval Memorial and Museum; and

WHEREAS, it is entirely fitting and proper that the site for the ending of the second World War should be located at the site of the beginning of United States involvement in the war; and

WHEREAS, the American Legion, Department of Missouri, has urged the United States Navy to permanently locate the U.S.S. Missouri in Pearl Harbor, next to the U.S.S. Arizona Memorial:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Eighty-eighth General Assembly, the House of Representatives concurring therein, hereby memorialize the Congress of the United States, the President of the United States, the Chief of Naval Operations, and the Secretary of the Navy to take any appropriate action necessary to permanently locate the U.S.S. Missouri (BB-63) at Pearl Harbor, Honolulu, Hawaii, next to the U.S.S. Arizona Memorial, for the purpose of serving as a Naval Memorial and Museum; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States, for each member of the Missouri Congressional delegation, for the Joint Chief of Staff, United States Navy, for the Secretary of the Navy, and for the American Legion, Department of Missouri.

In which the concurrence of the House is respectfully requested.

Thirty-third Day-February 27, 1996

WITHDRAWAL OF HOUSE BILL

February 27, 1996

Mr. Doug Burnett

Chief Clerk of the House

State Capitol Building

Jefferson City, MO 65101

Dear Doug,

I would respectfully like to request that my **House Bill 1266** be withdrawn from consideration in the House of Representatives.

Thank you for your consideration in this matter.

Respectfully submitted,

/s/ Jim Mitchell

The following member's presence was noted: Howerton.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, February 28, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-First Day, Thursday, February 22, 1996, pages 9 and 10, roll call, by showing Representative Barnett voting "aye" rather than "absent with leave".

Page 19, by inserting after line 17, the following: "The following member's presence noted: Witt".

Correct House Journal, Thirty-Second Day, Monday, February 26, 1996, page 8, line 5 by deleting the word "accuses" and inserting in lieu thereof the word "accused".

Pages 2 and 3, roll call, by showing Representative Chrismer voting "aye" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representative O'Connor voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representatives Chrismer and O'Connor voting "aye" rather than "absent with leave".

Thirty-third Day-February 27, 1996

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, February 28, 1996, 3:00 pm. Hearing Rooms 3 & 4. Executive Session.

To be considered - HB 1449

BUDGET

Wednesday, February 28, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1008, HB 1009, HB 1010, HB 1011

BUDGET

Wednesday, February 28, 1996. Hearing Room 9 upon morning adjournment.

To be considered - HB 1008, HB 1009, HB 1010, HB 1011

BUDGET

Thursday, February 29, 1996, 8:30 am. Hearing Room 9.

To be considered - HB 1009, HB 1010, HB 1011, HB 1012

CHILDREN, YOUTH, AND FAMILIES

Wednesday, February 28, 1996, 7:45 pm. Hearing Room 8. Executive Session Possible.

To be considered - HB 1089, HB 1436, HB 1533

CIVIL AND CRIMINAL LAW

Wednesday, February 28, 1996, 8:00 pm. Hearing Room 7. Amended Notice.

Executive Session may follow.

To be considered - HB 1370, HB 927, HB 1331, HB 1245, HB 1308, HB 1579.

COMMERCE

Wednesday, February 28, 1996, 4:00 pm. Hearing Room 5. Executive Session.

EDUCATION - HIGHER

Wednesday, February 28, 1996, 3:00 pm. Hearing Room 8. Executive Session to Follow.

To be considered - HB 1236, HB 1471, HB 1560

ENERGY AND ENVIRONMENT

Thursday, February 29, 1996, 8:00 am. Hearing Room 8. Executive Session May Follow.

To be considered - HB 1450, HB 1085

FEES AND SALARIES

Wednesday, February 28, 1996, 3:00 pm. Hearing Room 1.

To be considered - Executive Session - HB 1286, Executive Session - HB 1532,

Executive Session - HB 1538

HOUSE AUTOMATION AND INTERNET COMMITTEE

Monday, March 4, 1996, 1:00 pm. Hearing Room 5.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, February 28, 1996, 8:30 am. Hearing Room 7. Executive Session.

To be considered - HR 332, HR 305, HR 353, HCR 6

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, February 28, 1996, 8:00 pm. Hearing Room 5. Amended Notice

To be considered - HB 1422, HB 1537, HB 1539, HB 1561, HB 1566, HB 1515

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 29, 1996, 9:00 am. Room 401.

To be considered - Executive Session - HB 1473, Executive Session - HB 1566,

Executive Session - HB 1110

RETIREMENT

Wednesday, February 28, 1996, 8:00 pm. Hearing Room 2. Executive Session to Follow.

To be considered - HB 1500

SUB-COMMITTEE ON PUBLIC HEALTH & SAFETY

Wednesday, February 28, 1996, 12:00 pm. Hearing Room 1.

To be considered - HB 1206, HB 1484

TOURISM, RECREATION AND CULTURAL AFFAIRS

Wednesday, February 28, 1996. Side Gallery upon morning adjournment.

Executive Session.

To be considered - HB 1279

TRANSPORTATION

Wednesday, February 28, 1996, 1:00 pm. Hearing Room 5. Executive Session to Follow.

To be considered - HB 1524

TRAVEL COMMITTEE

Wednesday, February 28, 1996, 9:00 am. Hearing Room 5.

WAYS AND MEANS

Wednesday, February 28, 1996, 1:00 pm. Hearing Room 7. Executive Session.

Thirty-third Day-February 27, 1996

HOUSE CALENDAR

THIRTY-FOURTH DAY, WEDNESDAY, FEBRUARY 28, 1996

HOUSE BILL FOR SECOND READING

HB 1581

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 800, 812, 817 & 821, as amended, with HSA 1 for HA 13 and HA 13> pending - Hosmer
2 HCS HB 1301 & 1298 - McLuckie
3 HB 1377 - Bland
4 HCS HB 1172 - Jacob
5 HCS HB 1249 - O'Toole
6 HB 992 - Harlan
7 HB 832, HCA 1 - Montgomery
8 HCS HB 945 - Smith
9 HB 782, HCA 1 - Stokan
10 HCS HB 980 - Farnen
11 HCS HB 1169 & 1271, Williams (121) - Hosmer
12 HCS HB 1099 - Williams (159)
13 HB 1243, HCA 1 - Farmer
14 HCS HB 1207, 1288, 1408 & 1409 - Tate
15 HB 985 - Franklin
16 HB 1368 - May (108)
17 HCS HB 1363 - Mays (50)
18 HB 1113 - Stoll
19 HB 811 - Smith
20 HB 962 - Lumpe
21 HB 1361, HCA 1, Gibbons - Treadway
22 HCS HB 1372 - Mays (50)
23 HCS HB 1174 & 1309 - May (108)
24 HCS HB 1159, 842 & 799 - Jacob
25 HB 908, HCA 1 Thomason (163) - Ross
26 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
27 HB 852, HCA 1 - Canuteson
28 HCS HB 999 - Treadway
29 HCS HB 1186 - Hoppe
30 HCS HB 1237 - Rizzo
31 HB 1241 - Witt
32 HCS HB 1185 - McClelland
33 HB 839 - Luetkenhaus
34 HB 1411 - Loudon
35 HCS HB 1149, 1150 & 1240 - Jacob
36 HCS HB 894 - Bray
37 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
38 HB 1380 - Lumpe

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HOUSE BILLS FOR PERFECTION - CONSENT

(February 27, 1996)

1 HB 986 - Luetkenhaus
2 HB 1244, Farmer - Cooper
3 HB 1097 - Hosmer
4 HB 1541, Hagan-Harrell - Franklin
5 HB 1217 - Shear
6 HB 1379, Gross - Lumpe
7 HB 1404 - O'Toole
8 HB 1469 - Skaggs
9 HB 979 - Crump
10 HB 823 - Barnett
11 HB 937 - Marshall (26)
12 HB 1400 - Lumpe
13 HB 806 - Hagan-Harrell
14 HB 1081 - Carter
15 HB 1123 - Mays (50)
16 HB 766 - Clayton
17 HB 1248 - Scheve
18 HB 1460, Wiggins - Nordwald
19 HB 809, Shields - Tate
20 HB 1300 - Hartzler (123)
21 HB 1346 - Van Zandt
22 HB 1297 - Lakin
23 HB 1355 - O'Toole
24 HB 1221 - Farnen
25 HB 1093 - Foley
26 HB 929 - Auer
27 HB 1119 - Lakin
28 HB 1432, Leake - Liese

29 HB 1282, Shear, Boucher, - Dougherty
30 HB 791, Ross - Lograsso
31 HB 1441, Ross - Lakin
32 HB 941 - Smith
33 HB 773 - Backer

Thirty-third Day-February 27, 1996

HOUSE BILLS FOR THIRD READING

HS HCS HB 1069, 794, 807, 936, 1128, 1153, 1202, (Budget Fiscal 2-14-96) - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 991 - Koller

HCS HB 818, Kreider - Witt

HB 1177, McClelland - Williams (121)

SENATE BILL FOR THIRD READING

SCS SB 540, E.C. - Marshall (133)

HOUSE RESOLUTION

HR 199 - Gratz & Vogel

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House Journal

Second Regular Session, 88th General Assembly

THIRTY-FOURTH DAY, Wednesday, February 28, 1996

Speaker Gaw in the Chair.

Prayer by Reverand Cheryl L. Tatham.

"Trust in the Lord with all your heart, and do not rely on your own insight. In all your ways acknowledge him, and he will make straight your paths." (Proverbs 3:5-6, RSV)

O God of Graciousness, help us put our trust in you this day. In this place of many paths, help us choose the one that will best serve the needs of the people. Save us from being unwise; give us foresight to consider all possibilities with deliberation, making judgments upon counsel and advice from those with wisdom and experience.

As the issue of speed is taken up in this House, help us remember that, no matter what velocity we propel our bodies and our vehicles down a highway, we can only live life one day at a time - and help us use the 24 hours of the day you give us to add a dimension of quality to life. As we travel faster and farther, let us still take the time to observe the beauty of your creation around us. Don't let us go so fast that we miss the small nuances you've placed in nature - the drop of a leaf to the ground, the scampering of a squirrel up a tree - the little things that remind us that we are simply a small part of a much greater whole.

And now bless those here in the work that they must do; may they do it with your guidance and with the assurance of your presence in their lives. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kristopher Swanigan, Whitni Cayce.

The Journal of the thirty-third day was approved as corrected.

RESOLUTIONS

Representative Sallee offered House Resolution No. 391, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 392, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 393, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution No. 394, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution No. 395, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 396, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution No. 397, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution No. 398, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Chrismer offered House Resolution No. 399, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Chrismer offered House Resolution No. 400, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Schilling offered House Resolution No. 401, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILL

HB 1581 was read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 818 and HB 1177**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HCS HB 991, relating to motor carriers, was taken up by Representative Koller.

On motion of Representative Koller, **HCS HB 991** was read the third time and passed by the following vote:

AYES: 130

Alter	Auer	Backer	Barnett 4	Bennett 15
Bland	Bonner	Boucher	Bray	Broach
Brown	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Garnett	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Heckemeyer	Hendrickson	Hickey	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Levin	Liese	Lograsso
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Ostmann
Overschmidt	Pauley	Pouche	Prost	Reynolds
Ribaudo	Richardson	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 027

Akin	Ballard	Bartelsmeyer	Boatright	Burton
Edwards-Pavia	Elliott	Foster	Froelker	Gaskill
Hall	Hartzler 124	Hegeman	Hohulin	Howerton

Legan	Linton	Long	Marble	Murphy
Oetting	Pryor	Ridgeway	Scott	Steen
Summers	Surface			

PRESENT: 000

ABSENT WITH LEAVE: 004

Barnes	Morgan	Stokan	Stoll

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Farmer moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

HCS HB 818, relating to witness immunity, was taken up by Representative Kreider.

On motion of Representative Kreider, **HCS HB 818** was read the third time and passed by the following vote:

AYES: 133

Auer	Backer	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Ostmann	Overschmidt
Pouche	Prost	Pryor	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 019

Akin	Alter	Ballard	Bland	Carter
Clayton	Daniel 42	Days	Gunn	Hartzler 124
Marshall 26	Marshall 133	Montgomery	Murphy	Oetting
Pauley	Reynolds	Thompson 37	Whiteside	

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnes	Goward	Liese	Morgan	Ribaudo
Sheldon 104	Stoll	Troupe	Ward	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative O'Neill moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HB 1177, relating to unclaimed property proceeds, was taken up by Representative McClelland.

On motion of Representative McClelland, **HB 1177** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Shelton 57	Shields	Smith
Sombart	Steen	Stokan	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Franklin	Goward	Morgan	O'Toole
Ribaudo	Sheldon 104	Skaggs	Stoll	Thompson 37

Ward

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Kreider moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HBs 800, 812, 817 and 821, as amended, with House Substitute Amendment No. 1 for House Amendment

No. 13 and House Amendment No. 13, pending, relating to crimes, was again taken up by Representative Hosmer.

House Substitute Amendment No. 1 for House Amendment No. 13 was withdrawn.

Representative Crump offered House Substitute Amendment No. 1 for House Amendment No. 13.

House Substitute Amendment No. 1
for
House Amendment No. 13

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, Page 8, Section 571.030, Line 53, by inserting immediately after the word "control", an opening bracket, "["; and

Further amend said bill, Page 8, Section 571.030, Line 54, by inserting immediately after the word "state", a closing bracket, "]"; and

Further amend said bill, Page 8, Section 571.030, Line 55, by inserting immediately after the number "**5.**", the following:

"**Subdivision (1) of subsection 1 of this section shall not apply to any person transporting a concealable firearm in the passenger compartment of a motor vehicle so long as such concealable firearm is not carried on the person.**

6."; and

Further amend said bill, Page 9, Section 571.030, Line 60, by deleting the number "**6.**", and inserting in lieu thereof the number "**7.**"; and

Further amend said bill, Page 9, Section 571.030, Line 72, by deleting the number "**7.**", and inserting in lieu thereof the number "**8.**".

On motion of Representative Crump, House Substitute Amendment No. 1 for House Amendment No. 13 was adopted by the following vote:

AYES: 117

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farnen
Fiebelman	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Graham	Gratz
Green 123	Griesheimer	Gross	Hall	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hohulin
Hoppe	Howerton	Kasten	Keeven	Kelley 47
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	Mays 50	McBride	Mitchell
Montgomery	Murphy	Naeger	Nordwald	O'Connor
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shields
Smith	Steen	Summers	Surface	Tate
Thomason 163	Treadway	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 037

Auer	Bland	Boucher	Bray	Carter
Davis	Days	Dougherty	Farmer	Fitzwater
Gibbons	Gunn	Hagan-Harrell	Hand	Harlan
Hendrickson	Hosmer	Jacob	Kauffman	Kelly 27
May 108	McClelland	McLuckie	Murray 69	Murray 135
O'Neill	O'Toole	Reynolds	Schilling	Shear 83
Shelton 57	Skaggs	Sombart	Stokan	Troupe
Van Zandt	Williams 121			

PRESENT: 000

ABSENT WITH LEAVE: 007

Barnes	Goward	Lumpe	Morgan	Ribaudo
Stoll	Thompson 37			

VACANCY: 002

Representative Jacob offered House Amendment No. 14.

House Amendment No. 14

AMEND House Committee Substitute for House Bill Nos. 800, 812, 817 & 821, by adding one new section **the provision contained herein shall be submitted to a state-wide vote in the November election 1996.**

Representative Jacob moved that House Amendment No. 14 be adopted.

Which motion was defeated by the following vote:

AYES: 028

Auer	Bland	Boucher	Bray	Canuteson
Clayton	Davis	Days	Dougherty	Farmer
Fitzwater	Harlan	Jacob	Klumb	Lakin
May 108	Mays 50	McClelland	McLuckie	Prost
Ribaudo	Rizzo	Scheve	Shear 83	Shelton 57
Stokan	Van Zandt	Williams 121		

NOES: 120

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Koller
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	McBride	Mitchell	Montgomery
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Pryor	Reynolds
Richardson	Ridgeway	Robirds	Ross	Sallee
Schilling	Schwab	Scott	Sears 1	Secrest
Sheldon 104	Shields	Skaggs	Smith	Sombart
Steen	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 159	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Barnes	Daniel 42	Daniels 41	Goward	Green
Hoppe	Kreider	Lumpe	Morgan	Stoll
Thompson 37	Vogel	Ward		

VACANCY: 002

Representative Hartzler (124) offered House Amendment No. 15.

House Amendment No.15

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 1, In the Title, Line 2, by inserting after the number "302.304," the following: "542.276,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the number "302.304," the number "542.276,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "302.304," the number "542.276,"; and

Further amend said bill, Page 5, Section 302.304, Line 77, by inserting after all of said.304," line the following:

"542.276. 1. Any peace officer or prosecuting attorney may make application under section 542.271 for the issuance of a search warrant.

2. The application shall:

(1) Be in writing**, except as provided in this section**;

(2) State the time and date of the making of the application;

(3) Identify the property, article, material, substance or person which is to be searched for and seized, in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;

(4) Identify the person, place, or thing which is to be searched, in sufficient detail and particularity that the officer executing the warrant can readily ascertain whom or what [he] **the officer** is to search;

(5) State facts sufficient to show probable cause for the issuance of a search warrant;

(6) Be verified by the oath or affirmation of the applicant;

(7) Be filed in the proper court;

(8) Be signed **or verbally authorized pursuant to this section for telephonic search warrants** by the prosecuting attorney of the county where the search is to take place, or [his] **the prosecuting attorney's** designated assistant.

3. The application may be supplemented by a written affidavit verified by oath or affirmation.

4. In lieu of, or in addition to, a written application, affidavit, or affidavits, as provided in this section, the prosecuting attorney may give voice authorization to the applicant to affix the prosecutor's signature at the conclusion of an oral application recorded and preserved pursuant to the procedures of this section. After the prosecutor's signature has been affixed, the applicant shall contact the judge who may take an oral statement under oath which shall be recorded on tape, wire or other comparable method by the peace officer or transmitted by a facsimile. Such statement may be given in person to the judge or by telephone, radio or other means of electronic communication including a facsimile transmission. Such statement shall be deemed to be an application and an affidavit for the purposes of issuance of a search warrant. In such cases if a recording of the sworn statement has been made, the judge shall direct that the statement be transcribed, and certified by the peace officer, and filed with the court. Such affidavit shall be considered in determining whether there is probable cause for the issuance of a search warrant and in filling out any deficiencies in the description of the person, place, or thing to be searched or of the property, article, material, substance, or person to be seized. [Oral testimony shall not be considered.] **To ensure uniformity in making applications for search warrant by wire or other comparable method or by transmission by facsimile, the forms for the application and affidavit for a telephonic search warrant and the duplicate original search warrant is as follows:**

Thirty-fourth Day-Wednesday, February 28, 1996

APPLICATION FOR TELEPHONE SEARCH WARRANT

Prosecuting Attorney: Hello.

Officer: This is ..... of the ..... . I am calling you on .....(date) with officer ..... standing by as a witness. The time now is ..... . I am calling with an application for a telephonic search warrant and have just, probable and reasonable cause to believe that there is now in the possession of ....

On the premises located at .....

.....

Which consists of .....

.....

In the vehicle described as .....

The following property, to wit: .....

.....

Together with other fruits, instrumentalities and evidence of the crime(s) of ..... .

As set forth in this affidavit. That I, ...,

your affiant, am a peace officer in the State of Missouri, employed by ..... .

I have been a police officer for ..... years, and have the following special training and experience: .....

..... .

I am investigating the crime(s) of .....

.....

which I believe to have been committed on the ..... day of ....., 19 ...., in ....., based upon the following reasons:

.....

..... .

I believe that the property I described earlier in this affidavit is evidence of .....

..... .

For the following reasons:

.....

..... .

I believe the property I previously described in this application is presently:

*** On the premises located at .....**

.....

*** Which consists of .....**

.....

*** On the person of ..... .**

*** In the vehicle described as ..... .**

My belief that the property is presently at these locations is based upon the following reasons:

..... .

..... .

That based on the preceding facts, I, ... request that a telephonic search warrant be issued. I, also, request that you consider this application and incorporate it into the warrant itself. This concludes my application.

Mr./Madame Prosecutor, do I have permission to sign your name?

Prosecutor: (Await Prosecutor's reply)

Officer: I am signing my name, ..., Date ....., Time ....., beneath yours, and I will also have officer ..... sign as a witness.

AFFIDAVIT FOR TELEPHONE SEARCH WARRANT

Judge: Hello.

Officer: Judge ..... , this is officer ..... , of the ..... . Will you swear me in, please?

Judge: (The judge swears the officer in.)

Officer: This is ..... of the ..... . I am calling you on .....(date) with officer ..... standing by as a witness. The time now is ..... . At ..... hours, Prosecutor ..... authorized me to affix the prosecutor's signature to an application for search warrant in ..... County. I have recorded that call and am including it in as a reference. I am calling for a telephonic search warrant and have just, probable and reasonable cause to believe that there is now in the possession of
.....

..... .

On the premises located at .....

..... .

Which consists of .....

..... .

In the vehicle described as .....,

The following property, to wit: .....

.....

..... .

Together with other fruits, instrumentalities and evidence of the crime(s) of ..... .

As set forth in this affidavit. That I, ...,

your affiant, am a peace officer in the State of Missouri, employed by ..... .

I have been a police officer for ..... years, and have the following special training and experience: .....

..... .

I am investigating the crime(s) of .....

.....

which I believe to have been committed on the ..... day of

....., 19 ...., in .....,

based upon the following reasons:

.....

..... .

I believe that the property I described earlier in this affidavit is evidence of .....

..... .

For the following reasons:

.....

..... .

I believe the property I previously described in this affidavit is presently:

*** On the premises located at .....**

..... .

*** Which consists of .....**

..... .

*** On the person of ..... .**

*** In the vehicle described as ..... .**

My belief that the property is presently at these locations is based upon the following reasons:

..... .

..... .

That based on the preceding facts, I, ... request that a telephonic search warrant be issued. I, also, request that you consider this affidavit and incorporate it into the warrant itself. This concludes my affidavit, your honor.

Judge: (Await Judge's reply)

Officer: I will now read verbatim to you the standard Missouri duplicate original search warrant, State of Missouri, indicating which spaces I have completed and which ones I have left blank.

STANDARD MISSOURI DUPLICATE ORIGINAL SEARCH WARRANT

STATE OF MISSOURI

No. .....

COUNTY OF ....., STATE OF MISSOURI

To any peace officer in the State of Missouri:

Proof by affidavit having been made this day before me by ....., I am satisfied that there is probable cause to believe that:

* On the person(s) of .....

..... .

* On the premises known as .....

..... .

* In the vehicle(s) described as .....

.....

in the City of ....., County of .....,

State of Missouri, there is now being possessed or concealed certain property or things described as:

.....

.....

which property or things:

* Were stolen or embezzled

* Were used as a means for committing a public offense

* Is being possessed with the intent to use it as a means of committing a public offense

* Are in the possession of .....

.....

to whom it was delivered for the purpose of concealing it or preventing it from being discovered.

* Consists of any item or constitutes any evidence which tends to show that a public offense has been committed, such being more fully described in the affidavit, to wit: .....

.....

which offense occurred on or about the ..... day of .....,

19 ...., in ..... .

YOU ARE THEREFORE COMMANDED:

To make a search of the above-named or described person(s), premises and vehicles for the hereinabove described property or things, and if you find the same or any part thereof, to retain such in your custody or in the custody of the agency you represent, as provided in chapter 542, RSMo.

Return this warrant to me within ten (10) days of the date thereof, as directed by section 542.276, RSMo.

Given under my hand and dated this .... day of ....., 19 .... .

.....

Judge

of ..... Court

Officer: That concludes the reading of the standard Missouri duplicate search warrant. Do I have your permission to sign your name?

Judge: (Reply)

Officer: I am signing my name, ..., Date ....., Time ....., beneath yours, and I will also have officer ..... sign as a witness.

[4.] **5.** The judge shall [hold a nonadversary hearing to] determine whether sufficient facts have been stated to justify the issuance of a search warrant. If it appears from the application and any supporting affidavit that there is probable cause to believe that property, article, material, substance, or person subject to seizure is on the person or at the place or in the thing described, a search warrant shall immediately be issued. **In the case of a telephonic search warrants, the judge shall give voice authorization to the applicant to affix the judge's signature at the conclusion of an oral affidavit presented according to the provisions of this section.** The warrant shall be issued in the form of an original and two copies. **The warrant or the judge's signature authorizing a warrant may be transmitted by a facsimile machine.**

[5.] **6.** The application and any supporting affidavit and a copy of the warrant shall be retained in the records of the court from which the warrant was issued.

[6.] **7.** The search warrant shall:

(1) Be in writing and in the name of the state of Missouri;

(2) Be directed to any peace officer in the state;

(3) State the time and date the warrant is issued;

(4) Identify the property, article, material, substance or person which is to be searched for and seized, in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;

(5) Identify the person, place, or thing which is to be searched, in sufficient detail and particularity that the officer executing the warrant can readily ascertain whom or what [he] **the officer** is to search;

(6) Command that the described person, place, or thing be searched and that any of the described property, article, material, substance, or person found thereon or therein be seized or photographed or copied and be returned, or the photograph or copy be brought, within ten days after filing of the application, to the judge who issued the warrant, to be dealt with according to law;

(7) Be signed by the judge, with [his] **the judge's** title of office indicated. **The judge may orally authorize a peace officer to sign the judge's name on a search warrant if the peace officer applying for the warrant is not in the actual physical presence of the judge or the judge may transmit the judge's signature by a facsimile machine. Such warrant shall be called a duplicate original search warrant and shall be deemed a search warrant for the purposes of sections 542.261 to 542.296. In such cases, the judge shall cause to be issued an original search warrant docket number and shall enter the exact time of issuance of the duplicate original warrant in the court record. The officer shall present a verbatim transcription of the recorded application, affidavit and duplicate original search warrant to the issuing judge within forty-eight hours along with the original recording. The judge may retain the recording in the care and custody of the court or may direct the peace officer to preserve the recording as evidence in the custody of the law enforcement agency. Upon the return of the duplicate original warrant, the judge shall cause it to be filed under the issued docket number as a duplicate original search warrant.**

[7.] **8.** A search warrant issued under this section may be executed only by a peace officer. The warrant shall be executed by conducting the search and seizure commanded.

[8.] **9.** A search warrant shall be executed as soon as practicable and shall expire if it is not executed and the return made within ten days after the date of the making of the application.

[9.] **10.** After execution of the search warrant, the warrant with a return thereon, signed by the officer making the search, shall be delivered to the judge who issued the warrant. The return shall show the date and manner of execution, what was seized, and the name of the possessor and of the owner, when [he] **the possessor** is not the same person **as the owner**, if known. The return shall be accompanied by a copy of the itemized receipt required by subsection 6 of section 542.291. The judge or clerk shall, upon request, deliver a copy of such receipt to the person from whose possession the property was taken and to the applicant for the warrant.

[10.] **11.** A search warrant shall be deemed invalid:

(1) If it was not issued by a judge; or

(2) **Except as provided in this section,** if it was issued without a written application having been filed and verified; or

(3) If it was issued without probable cause; or

(4) If it was not issued in the proper county; or

(5) If it does not describe the person, place, or thing to be searched or the property, article, material, substance, or person to be seized with sufficient certainty; or

(6) **Except as provided in subsection 7 of this section,** if it is not signed by the judge who issued it; or

(7) If it was not executed within the time prescribed by subsection 8 of this section.".

On motion of Representative Hartzler (124), House Amendment No. 15 was adopted by the following vote:

AYES: 104

Akin	Alter	Auer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Copeland	Crum 112	Crump 152
Davis	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Graham
Gratz	Gross	Hagan-Harrell	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Lakin	Leake
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Marble	Marshall 133	May 108	Mitchell
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Pouche
Prost	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shields	Skaggs	Sombart
Steen	Stokan	Summers	Surface	Treadway
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 045

Backer	Bland	Boucher	Bray	Carter
Clayton	Cooper	Days	Farmer	Farnen
Fiebelman	Fitzwater	Gibbons	Griesheimer	Gunn
Harlan	Heckemeyer	Hickey	Hoppe	Jacob
Kelly 27	Koller	Kreider	Lograsso	Lumpe
Marshall 26	Mays 50	McBride	McClelland	McLuckie
Montgomery	O'Neill	Overschmidt	Rizzo	Scheve
Schilling	Shear 83	Shelton 57	Smith	Tate
Thomason 163	Thompson 37	Troupe	Van Zandt	Williams 121

PRESENT: 000

Thirty-fourth Day-Wednesday, February 28, 1996

ABSENT WITH LEAVE: 012

Barnes	Daniel 42	Daniels 41	Goward	Green
Legan	Morgan	Pauley	Reynolds	Ribaudo
Stoll	Ward			

VACANCY: 002

Representative Luetkenhaus offered House Amendment No. 16.

House Amendment No. 16

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, page 10, section 1, line 17, by inserting after all of said line, the following:

Section 2. All persons subject to registration pursuant to 566.600 RSMo, the registration shall be deemed a public record pursuant to provisions of Chapter 610 RSMo.

On motion of Representative Luetkenhaus, House Amendment No. 16 was adopted by the following vote:

AYES: 134

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Carter	Childers	Chrismer	Cierpiot	Cooper
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murphy
Murray 69	Murray 135	Naeger	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Summers	Surface	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 009

Bland	Bray	Clayton	Farmer	Harlan
O'Neill	Shear 83	Troupe	Witt	

PRESENT: 001

Jacob

ABSENT WITH LEAVE: 017

Barnes	Champion	Crump 152	Goward	Green
Koller	Lumpe	Morgan	Nordwald	Pauley
Reynolds	Ribaudo	Stokan	Stoll	Tate
Thompson 37	Ward			

VACANCY: 002

Representative Bennett (15) offered House Amendment No. 17.

House Amendment No. 17

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 10, Section 2, Line 17, by inserting after all of said line, the following:

"Section 3. 1. In every criminal drug related case, the court may assess as costs an amount not to exceed twenty-five dollars to be collected by the clerk of the court and distributed to the local D.A.R.E. or other anti-drug programs in the county or political subdivision in which the arrest was made.

2. Whenever a defendant is sentenced to probation for a drug-related offense, the court may impose as a condition of the sentence that the defendant contribute a reasonable sum of money, not to exceed the maximum amount of the fine authorized for the offense for which the defendant was sentenced to a local D.A.R.E. or other anti-drug program in the political subdivision in which the arrest was made.

Representative Bennett (15) moved that House Amendment No. 17 be adopted.

Which motion was defeated.

Representative Kasten offered House Amendment No. 18.

House Amendment No. 18

AMEND House Committee Substitute for House Bills Nos. 800, 812, 817 & 821, page 6, section 556.037, line 3, by striking the word "ten" and inserting in lieu thereof the word "**twenty**".

Representative Kasten moved that House Amendment No. 18 be adopted.

Which motion was defeated.

On motion of Representative Hosmer, **HCS HBs 800, 812, 817 and 821, as amended,** was adopted by the following vote:

AYES: 118

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Brown	Burton	Canuteson	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Davis	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Foley	Ford	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Hagan-Harrell	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kauffman	Kelley 47
Kissell	Klumb	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McLuckie
Mitchell	Montgomery	Murphy	Murray 69	Murray 135
Naeger	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Sears 1	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Summers	Surface	Thomason 163	Treadway
Vogel	Wannenmacher	Whiteside	Wieland	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 019

Boucher	Bray	Carter	Clayton	Days
Dougherty	Farmer	Fitzwater	Gunn	Harlan
Kelly 27	Lumpe	McClelland	O'Neill	Schilling
Shear 83	Van Zandt	Wiggins	Williams 121	

PRESENT: 000

ABSENT WITH LEAVE: 024

Barnes	Bland	Daniel 42	Daniels 41	Franklin
Goward	Green	Hall	Hickey	Kasten
Keeven	Koller	Morgan	Nordwald	Pauley
Reynolds	Ribaudo	Secrest	Stokan	Stoll
Tate	Thompson 37	Troupe	Ward	

VACANCY: 002

On motion of Representative Hosmer, **HCS HBs 800, 812, 817 and 821, as amended,** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Budget (Fiscal Note), Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 993**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolutions Nos. 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400 and 401,** begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 854**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SB 521 - Agriculture

SCS SB 735 - Municipal Corporations

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1582, introduced by Representative Witt, relating to the overpayment of income tax.

HB 1583, introduced by Representative Clayton, relating to domestic relations.

HB 1584, introduced by Representative Graham, relating to authorizing the conveyance of certain property in St. Francois County.

HB 1585, introduced by Representative Dougherty, relating to the state committee for social workers.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 32**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 12 of article IV of the Constitution of Missouri relating to the executive department, and adopting two new sections in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 578**, entitled:

An act to repeal section 43.050, RSMo 1994, relating to the state highway patrol, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Thirty-fourth Day-Wednesday, February 28, 1996

LETTER OF OBJECTION

February 28, 1996

Mr. Doug Burnett, Chief Clerk

Missouri House of Representatives

Jefferson City, MO 65101

Dear Mr. Burnett:

Pursuant to Rule #48, we the undersigned members request the removal of **HB 1282** from the House Consent Calendar. We believe this legislation is controversial in nature and may have a fiscal impact on State revenues.

/s/ T. Mark Elliott

/s/ David Oetting

/s/ Delbert Scott

/s/ Patrick O'Connor

/s/ William Gratz

WITHDRAWAL OF HOUSE BILL

MEMORANDUM

TO: Chief Clerk Doug Burnett

FROM: Representative Fred Pouche

RE: **House Bill 1230**

DATE: February 27, 1996

I hereby request to withdraw **House Bill 1230** which has been assigned to the Ways and Means Committee.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, February 29, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Third Day, Tuesday, February 27, 1996, pages 2 and 3, roll call, by showing Representative Bennett (15) voting "no" rather than "aye".

COMMITTEE MEETINGS

BUDGET

Thursday, February 29, 1996, 8:30 am. Hearing Room 9

To be considered - HB 1009, HB 1010, HB 1011, HB 1012

BUDGET

Thursday, February 29, 1996. Hearing Room 9 upon morning adjournment.

To be considered - HB 1010, HB 1011, HB 1012

CONSUMER PROTECTION

Thursday, February 29, 1996, 9:00 am. Hearing Room 5. Executive Session

CORRECTIONAL & STATE INSTITUTIONS

Thursday, February 29, 1996. Upon adjournment. Hearing Room 310.

Executive Session

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, February 29, 1996, 8:00 am. Hearing Rooms 1 & 2. Executive Session

ELECTIONS

Thursday, February 29, 1996. Side Gallery upon adjournment. Executive Session.

ENERGY AND ENVIRONMENT

Thursday, February 29, 1996, 8:00 am. Hearing Room 8. Executive Session May Follow.

To be considered - HB 1450, HB 1085

HOUSE AUTOMATION AND INTERNET COMMITTEE

Monday, March 4, 1996, 1:00 pm. Hearing Room 5.

INSURANCE

Thursday, February 29, 1996, 9:30 am. Side Gallery.

To be considered - Executive Session - HB 1540

JUDICIARY AND ETHICS

Thursday, February 29, 1996. Side Gallery upon adjournment. Executive Session.

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, February 29, 1996. House Lounge upon adjournment. Executive Session.

PROFESSIONAL REGISTRATION & LICENSING

Thursday, February 29, 1996, 9:00 am. Room 401.

To be considered - Executive Session - HB 1473, Executive Session - HB 1566,

Executive Session - HB 1110

PUBLIC HEALTH AND SAFETY

Thursday, February 29, 1996. Side Gallery upon adjournment. Executive Session.

To be considered - HB 1510, HB 1080

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, March 4, 1996, 8:00 pm. Hearing Room 7. Executive Session to Follow.

To be considered - HB 1578

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Monday, March 4, 1996, 2:30 pm. Senate Committee Room 1. Contested Fiscal Notes

To be considered - SB 611, HB 974

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 4, 1996, 8:00 pm. Hearing Room 5. Proponents heard on March

18th, opponents heard March 25th.

To be considered - HB 1461

HOUSE CALENDAR

THIRTY-FIFTH DAY, THURSDAY, FEBRUARY 29, 1996

HOUSE BILLS FOR SECOND READING

HB 1582 through HB 1585

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HB 1377 - Bland
3 HCS HB 1172 - Jacob
4 HCS HB 1249 - O'Toole
5 HB 992 - Harlan
6 HB 832, HCA 1 - Montgomery
7 HCS HB 945 - Smith
8 HB 782, HCA 1 - Stokan
9 HCS HB 980 - Farnen
10 HCS HB 1169 & 1271, Williams (121) - Hosmer
11 HCS HB 1099 - Williams (159)
12 HB 1243, HCA 1 - Farmer
13 HCS HB 1207, 1288, 1408 & 1409 - Tate
14 HB 985 - Franklin
15 HB 1368 - May (108)
16 HCS HB 1363 - Mays (50)
17 HB 1113 - Stoll
18 HB 811 - Smith
19 HB 962 - Lumpe
20 HB 1361, HCA 1, Gibbons - Treadway
21 HCS HB 1372 - Mays (50)
22 HCS HB 1174 & 1309 - May (108)
23 HCS HB 1159, 842 & 799 - Jacob
24 HB 908, HCA 1 Thomason (163) - Ross
25 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
26 HB 852, HCA 1 - Canuteson
27 HCS HB 999 - Treadway
28 HCS HB 1186 - Hoppe

29 HCS HB 1237 - Rizzo
30 HB 1241 - Witt
31 HCS HB 1185 - McClelland
32 HB 839 - Luetkenhaus
33 HB 1411 - Loudon
34 HCS HB 1149, 1150 & 1240 - Jacob
35 HCS HB 894 - Bray
36 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
37 HB 1380 - Lumpe

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HOUSE BILLS FOR PERFECTION - CONSENT

(February 27, 1996)

1 HB 986 - Luetkenhaus
2 HB 1244, Farmer - Cooper
3 HB 1097 - Hosmer
4 HB 1541, Hagan-Harrell - Franklin
5 HB 1217 - Shear
6 HB 1379, Gross - Lumpe
7 HB 1404 - O'Toole
8 HB 1469 - Skaggs
9 HB 979 - Crump
10 HB 823 - Barnett
11 HB 937 - Marshall (26)
12 HB 1400 - Lumpe
13 HB 806 - Hagan-Harrell
14 HB 1081 - Carter
15 HB 1123 - Mays (50)
16 HB 766 - Clayton
17 HB 1248 - Scheve
18 HB 1460, Wiggins - Nordwald
19 HB 809, Shields - Tate
20 HB 1300 - Hartzler (123)
21 HB 1346 - Van Zandt
22 HB 1297 - Lakin
23 HB 1355 - O'Toole
24 HB 1221 - Farnen
25 HB 1093 - Foley
26 HB 929 - Auer
27 HB 1119 - Lakin
28 HB 1432, Leake - Liese
29 HB 791, Ross - Lograsso
30 HB 1441, Ross - Lakin
31 HB 941 - Smith
32 HB 773 - Backer

HOUSE BILLS FOR THIRD READING

HS HCS HB 1069,794,807,936,1128,1153,1202 - Kelly (27)

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

SENATE JOINT RESOLUTION FOR SECOND READING

SJR 32

SENATE BILL FOR SECOND READING

SB 578

SENATE BILL FOR THIRD READING

SCS SB 540, E.C. - Marshall (133)

HOUSE RESOLUTION

HR 199 - Gratz & Vogel

COURTESY RESOLUTIONS

HR 354 - Stoll

HR 355 - Hartzler (123)

HR 356 - Boatright

HR 357 - Smith

HR 358 - Clayton

HR 359 - Stoll

HR 360 - Donovan

HR 361 - Bartelsmeyer

HR 362 - Sears (1)

HR 363 - Sears (1)

HR 365 - Gaw

HR 366 - Gaw

HR 367 - Graham

HR 368 - Wannenmacher

HR 369 - Murray (69)

HR 370 - Gibbons

HR 371 - Richardson

HR 372 - Morgan

HR 373 - Steen

HR 374 - Shear (83)

HR 375 - Williams (121)

HR 376 - Sears (1)

HR 377 - Mitchell

HR 378 - Surface

HR 379 - Boucher

HR 380 - Boucher

HR 381 - Pauley

HR 382 - O'Connor

HR 383 - Bland

HR 384 - Bland

HR 385 - Bland

HR 386 - Bland

HR 387 - Bland

HR 388 - Bland

HR 389 - Bland

HR 390 - Bland

HR 391 - Sallee

HR 392 - Richardson

HR 393 - Richardson

HR 394 - Kauffman

HR 395 - Kauffman

HR 396 - Kelley (47)

HR 397 - Marshall (26)

HR 398 - Marshall (26)

HR 399 - Chrismer

HR 400 - Chrismer

HR 401 - Schilling

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

THIRTY-FIFTH DAY, Thursday, February 29, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Great Guardian of our Lives, we come this morning conscious of our own shortcomings, but with confidence and composure, knowing that if we put our trust in you, our faith is well founded. Let us not tolerate anything in our personal lives which, if multiplied, would weaken this state and the people we serve.

Teach us that our state is no better than its citizens, and no stronger than those in whom it puts it's trust.

We pray for your guidance in all that takes place here, that with your blessing, we need not fear decisions, nor hesitate to act.

Be now with each representative as they complete their week here and as many of them travel home to loved ones and the routine of their "other" lives. Bring them back safely through this weekend, and strengthen them to renew their labor next week. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-fourth day was approved as corrected.

RESOLUTIONS

Representative Fitzwater offered House Resolution No. 402, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Childers offered House Resolution No. 403, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crump (152) offered House Resolution No. 404, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bennett (15) offered House Resolution Nos. 405 through 408, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mitchell offered House Resolution No. 409, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 410, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear (83) offered House Resolution No. 411, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 412, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kasten offered House Resolution No. 413, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 354 through 363 and 365 through 401 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 354 through 363 and 365 through 401 were adopted.

SECOND READING OF HOUSE BILLS

HB 1582 through **HB 1585** were read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SJR 32 was read the second time.

SECOND READING OF SENATE BILL

SB 578 was read the second time.

THIRD READING OF HOUSE BILL

HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202, relating to maternity benefits, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202** was read the third time and passed by the following vote:

AYES: 144

Akin	Alter	Backer	Ballard	Bartelsmeyer
Bennett 15	Bland	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Daniel 42
Daniels 41	Davis	Days	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Murphy	Murray 69	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 007

Elliott	Hartzler 123	Hohulin	Loudon	Marble
Marshall 133	Murray 135			

PRESENT: 003

Auer	Lumpe	Pouche		

ABSENT WITH LEAVE: 007

Barnes	Barnett 4	Crump 152	Donovan	Morgan
Ribaudo	Thompson 37			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Jacob moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HB 1377, relating to essential community providers, was taken up by Representative Bland.

Representative Bland offered House Amendment No. 1.

House Amendment No.1

AMEND House Bill No. 1377, Page 1, Section 1, Line 5, by striking out the numerals and letters "**254C(b) (3)**" and inserting in lieu thereof the following: "**254c(b) (3)**"; and

Further amend said bill, Page 1, Section 1, Line 9, by striking out the numerals and letters "**254C(b) (3)**" and inserting in lieu thereof the following: "**254c(b) (3)**"; and

Further amend said bill, Page 2, Section 3, Line 3, by striking out the word "**or**" and inserting in lieu thereof the word "**of**".

On motion of Representative Bland, House Amendment No. 1 was adopted.

Representative Elliott offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill 1377, Page 1, Section 1, Lines 2 through 20 by deleting said lines and inserting in lieu thereof the following:

(1) "Essential community providers", those individuals or entities which provide health care services, limited to the following: physicians and surgeons, podiatrists, chiropractors, physical therapists, speech pathologists, audiologists, dentists, optometrists, hospitals, hospital-based services, psychologists, licensed professional counselors, respiratory therapists, pharmacists, occupational therapists and long-term care facilities, home health care and hospice care, licensed ambulatory surgery centers, and rural health clinics;

Representative Elliott moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 047

Akin	Ballard	Barnett 4	Bartelsmeyer	Broach
Canuteson	Childers	Chrismer	Cierpiot	Cooper
Elliott	Evans	Foster	Froelker	Garnett
Gaskill	Gibbons	Gratz	Griesheimer	Gross
Hand	Hegeman	Hendrickson	Howerton	Kelly 27
Klumb	Koller	Kreider	Levin	Liese
Linton	Long	Loudon	Marble	Marshall 133
Nordwald	Oetting	Pouche	Pryor	Ridgeway
Robirds	Sallee	Scott	Sombart	Vogel
Wieland	Witt			

NOES: 108

Alter	Auer	Backer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Brown
Burton	Carter	Champion	Clayton	Copeland

Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Franklin	Goward	Graham	Gunn	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hickey	Hohulin	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Lakin	Legan	Lograsso	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murphy	Murray 69
Murray 135	Naeger	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Pauley	Prost	Reynolds
Richardson	Rizzo	Ross	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Wannenmacher 121	Ward	Whiteside	Wiggins	Williams
Williams 159	Wooten	Mr. Speaker		

PRESENT: 001

Crum 112

ABSENT WITH LEAVE: 005

Barnes	Green	Leake	Morgan	Ribaudo

VACANCY: 002

Representative Auer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill 1377, Page 2, Section 2, Line 18 by adding the following:

"**6. Any health care insurer shall require those meeting the definition of essential community provider to meet the same credentialing requirements as other physicians participating in the plan prior to the issuance of a contract.**"

On motion of Representative Auer, House Amendment No. 3 was adopted by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt

Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 001

Crum 112

ABSENT WITH LEAVE: 009

Barnes	Childers	Crump 152	Green	Leake
Morgan	Ribaudo	Shelton 57	Thompson 37	

VACANCY: 002

Representative Prost assumed the Chair.

The Speaker resumed the Chair.

On motion of Representative Bland, **HB 1377, as amended,** was ordered perfected and printed by the following vote:

AYES: 123

Akin	Alter	Auer	Backer	Barnett 4
Bland	Boatright	Bonner	Boucher	Bray
Broach	Brown	Canuteson	Carter	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gaskill	Gibbons
Graham	Green	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Levin
Liese	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murphy	Murray 69
Naeger	Nordwald	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Tate	Thomason 163	Thompson 37	Troupe	Van Zandt
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 028

Ballard	Bartelsmeyer	Bennett 15	Burton	Champion
Elliott	Evans	Garnett	Gratz	Griesheimer
Hartzler 123	Hartzler 124	Hohulin	Kasten	Legan
Lograsso	Loudon	Marshall 133	Murray 135	O'Connor
Pouche	Schwab	Scott	Secrest	Surface
Treadway	Vogel	Wannenmacher		

PRESENT: 001

Crum 112

ABSENT WITH LEAVE: 009

Barnes	Goward	Keeven	Leake	Linton
Morgan	Ribaudo	Stokan	Witt	

VACANCY: 002

HCS HB 1249, relating to St. Louis Police Retirement, was taken up by Representative O'Toole.

Representative Gross offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1249, page 1, section 86.253, line 4, by deleting the brackets "[ ]" on said line and by deleting the word "five". And further on said page, line 6, by deleting the brackets "[ ]" on said line and by deleting the words "seventy- five".

Representative Gross moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 066

Akin	Alter	Backer	Ballard	Barnett 4
Bland	Boatright	Broach	Brown	Carter
Childers	Chrismer	Clayton	Daniel 42	Daniels
41				
Days	Donovan	Edwards-Pavia	Elliott	Farmer
Ford	Foster	Froelker	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Hall
Hand	Hegeman	Hohulin	Howerton	Kasten
Kauffman	Kelley 47	Legan	Linton	Lograsso
Long	Marble	McClelland	Murray 135	Nordwald
Ostmann	Pouche	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shear 83	Shelton 57	Shields	Sombart	Steen
Summers	Surface	Troupe	Van Zandt	Vogel

Whiteside

NOES: 084

Auer	Bartelsmeyer	Bennett 15	Boucher	Burton
Canuteson	Champion	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Davis	Dougherty	Enz
Evans	Farnen	Fiebelman	Fitzwater	Foley
Franklin	Garnett	Green	Hagan-Harrell	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson	Hickey
Hoppe	Hosmer	Jacob	Kelly 27	Klumb
Koller	Kreider	Lakin	Leake	Levin
Liese	Loudon	Luetkenhaus	Lumpe	Marshall
26				
Marshall 133	May 108	Mays 50	McBride	McLuckie
Mitchell	Montgomery	Murphy	Murray 69	Naeger
O'Connor	O'Neill	O'Toole	Oetting	
Overschmidt				
Pauley	Prost	Pryor	Reynolds	Rizzo
Scheve	Schilling	Sears 1	Sheldon 104	Skaggs
Smith	Stokan	Stoll	Tate	Thomason
163				
Treadway	Wannenmacher	Wieland	Wiggins	Williams
121				
Williams 159	Witt	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnes	Bonner	Bray	Goward	Gunn
Keeven	Kissell	Morgan	Ribaudo	Thompson
37				

Ward

VACANCY: 002

Representative Cierpiot offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill 1249, Page 1, in the Title, line 4, by striking "six" and inserting in lieu thereof "seven"; and

Further amend said substitute, Page 1, Section A, line 2, by striking "six" and inserting in lieu thereof "seven"; and

Further amend said substitute, Page 1, Section A, line 3, by striking "86.283 and 86.287," and inserting in lieu

thereof the following: "86.283, 86.287 and 86.673,"; and

Further amend said substitute, Page 8, Section 86.287, Line 46, by inserting after all of said line the following:

"**86.673. 1. Beginning on the effective date of this section, any surviving spouse of a member who died as the direct and proximate result of an accident sustained in the performance of assigned duties shall be eligible to continue to receive such health insurance benefit for such surviving spouse and dependents as the member was receiving on the date of the member's death; provided that, such surviving spouse shall not be required to pay a premium for such health insurance benefits which is greater than the amount that an active member pays for the same health insurance benefits.**

2. Any surviving spouse of a member who died before the effective date of this section as the direct and proximate result of an accident sustained in the performance of assigned duties, upon application to the retirement board, shall be made, constituted, appointed and employed by the board of trustees as a special consultant on the problems of being the surviving spouse of an officer killed in the line of duty and other matters, for the remainder of the surviving spouse's life, and upon request of the retirement board shall give opinions and be available to give opinions in writing or orally, in response to such requests, as may be required. For such services, such surviving spouse shall be eligible to receive such health insurance benefit for such surviving spouse and dependents as an active member is eligible to receive; provided that, such surviving spouse shall not be required to pay a premium for such health insurance benefits which is greater than the amount that an active member pays for the same health insurance benefits.".

Representative Shelton (57) raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Cierpiot, House Amendment No. 2 was adopted.

On motion of Representative O'Toole, **HCS HB 1249, as amended,** was adopted.

On motion of Representative O'Toole, **HCS HB 1249, as amended,** was ordered perfected and printed.

HB 992, relating to uniform interstate family support act, was taken up by Representative Harlan.

Representative Harlan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 992, Page 1, In the title, Lines 2 & 3, by striking out all of said lines and inserting in lieu thereof the following:

"To repeal section 454.360, RSMo 1994, relating to enforcement of support law, and to enact in lieu thereof fifty-five new sections relating to the same subject, with an effective date."; and

Further amend said bill, Page 1, Section A, Line 1, by striking out all of said line and inserting in lieu thereof the following: "Section A. Section 454.360, RSMo 1994, is repealed and fifty-five new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the word "sections" the following: "454.360, 454.433,"; and

Further amend said bill, Page 1, Section A, Line 7, by inserting immediately after said line the following:

"454.360. Sections 454.010 to 454.360 may be cited as the "Uniform Reciprocal Enforcement of Support Law". **In all cases filed by Missouri or received by Missouri under the provisions of the uniform reciprocal enforcement of support act, sections 454.010 to 454.360, prior to January 1, 1997, the provisions of the uniform reciprocal enforcement of support act, sections 454.010 to 454.360, shall continue to apply. In all other cases, the provisions of the uniform interstate family support act, sections 454.850 to 454.980, shall apply.**

454.433. 1. When a tribunal of another state as defined in section 454.850 has ordered support payments to a person who has made an assignment of child support rights to the division of family services or who is receiving child support services under section 454.425, the division of child support enforcement may notify the court of this state in the county in which the obligor, obligee or the child resides or works. Upon such notice the circuit clerk shall accept all support payments and remit such payments to the person or entity entitled to receive the payments.

2. Notwithstanding any provision of law to the contrary, the notification to the court by the division shall authorize the court to make the clerk trustee. The clerk shall keep an accurate record of such payments and shall report all collections to the department of social services in the manner specified by the department."; and

Further amend said bill, Page 15, Section 454.952, Line 10, by deleting the numeral "**454.109**" and inserting in lieu thereof the following: "**454.945**"; and

Further amend said bill, Page 18, Section 454.980, Line 2, by striking out the word "**initiated**" and inserting in lieu thereof the word "**filed**"; and

Further amend said bill, Page 18, Section 454.980, Lines 5 through 8, by deleting all of said lines and inserting in lieu thereof the following: "**support act, sections 454.010 to 454.360, shall continue to apply. In all other cases, the provisions of the uniform interstate family support act, sections 454.850 to 454.980, shall apply.**".

On motion of Representative Harlan, House Amendment No. 1 was adopted.

On motion of Representative Harlan, **HB 992, as amended,** was ordered perfected and printed.

HB 832, with House Committee Amendment No. 1, relating to veterans cemeteries, was taken up by Representative Montgomery.

Representative Hosmer offered House Substitute Amendment No. 1 for House Committee Amendment No. 1.

House Substitute Amendment No. 1

for

House Committee Amendment No. 1

AMEND House Bill No. 832, page 2, section 1, line 10, by deleting the words "**Mt. Vernon in Lawrence County**" and inserting in lieu thereof the following: "**Springfield in Greene County**"; and

Further amend said bill, page 2, section 1, line 11, by inserting after the words "**St. Louis County**" the following: "**with an alternate site in St. Charles County, Lawrence County or Jefferson County**".

On motion of Representative Hosmer, House Substitute Amendment No. 1 for House Committee Amendment No. 1 was adopted.

Representative Carter offered House Amendment No. 1

Representative Wannenmacher raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HB 832, as amended, was laid over.

COMMITTEE REPORTS

Committee on Agri-Business, Chairman Williams (159) reporting:

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1171**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Agri-Business, to which was referred **HB 1204**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Agriculture, Chairmen Wiggins and Leake reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 4

WHEREAS, most all necessities essential to man's survival stem from the soil, and the survival and success of nations is largely dependent on their ability to manage the resources provided by the soils within their borders; and

WHEREAS, agriculture forms the basis for the development, maintenance, and survival of any modern society; and

WHEREAS, citizens must be able to relate to these truisms to their own success and welfare in order to assure a cooperative, conflict-free relationship between urban and rural communities; and

WHEREAS, it is important that the agricultural community be a proactive force in the education of the urbanite and those members of the rural population who are unfamiliar with the role of agriculture in the preservation of their welfare and that of the nation; and

WHEREAS, although Missouri is one of the most agriculturally diverse states in the nation, little has been done to educate its citizens as to their total dependence on farmers and ranchers; and

WHEREAS, since the third generation without exposure to the farm is now growing up in the state's urban areas,

little comprehension exists among this group concerning the tie that exists between the remote farmer/rancher and the dinner table; and

WHEREAS, because of information provided by various activists/environmentalists which has often been inaccurate, incomplete, or misleading, the farmer/rancher is often perceived as the enemy rather than the benefactor of mankind; and

WHEREAS, in order to correct these deficiencies in the public understanding and perception, a number of key leaders and organizations have voiced their support for the establishment of a combined Living History Farm and Agriculture Learning Center in Missouri; and

WHEREAS, this innovative Living History Farm and Agricultural Learning Center would be dedicated to the goal of educating consumers as to Missouri's wealth of agricultural products and the importance of these products in their everyday lives, and would also seek to preserve the skills, knowledge, and artifacts of previous generations of Missouri farmers and ranchers; and

WHEREAS, the proposed Agricultural Learning Center would be the most modern and effective in the nation, and would provide Missouri's forty-three commodity groups with the opportunity to tell their own story concerning the importance of their product; and

WHEREAS, the proposed Missouri Living History Farm and Agricultural Learning Center project has garnered a great deal of support and interest from both the private and public sectors, but still requires knowledgeable leadership to coordinate the efforts of these interested parties; and

WHEREAS, this leadership would best be provided by the Missouri Department of Agriculture, which has access to the largest body of knowledge and expertise pertaining to Missouri agriculture:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, hereby petition the Department of Agriculture to serve as the coordinating body for the initiation of the proposed Missouri Living History Farm and Agriculture Learning Center and in this capacity, form a study group to examine the value and feasibility of this project; and

BE IT FURTHER RESOLVED that in accepting this role, the Department of Agriculture be given full authority to call together all interested parties, to obtain firm commitments from these parties as to precisely what contributions and assistance they will provide toward the project's completion, and to then determine to what degree the project is workable; and

BE IT FURTHER RESOLVED that in serving as the coordinating body for the Missouri Living History and Agriculture Learning Center project, the Department of Agriculture determine project feasibility based upon the heretofore established plan which provides that the project be funded solely through non-governmental contributions; and

BE IT FURTHER RESOLVED that the Department of Agriculture report its findings together with recommendations for any action it deems appropriate to the Missouri General Assembly; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Missouri Department of Agriculture, Mr. John Saunders, Director.

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1175, HB 1120 and HB 797**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1305**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1420**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1403**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Children, Youth and Families , to which was referred **HB 1436,** begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1436, Page 2, Section 455.030, Line 17, by inserting immediately after the word "**on"** the following: "**evenings.**"

Mr. Speaker: Your Committee on Children Youth and Families, to which was referred **HB 1533**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 944**, begs leave to report it has examined the same and recommends that it **Do Pass, with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 944, Page 1, Section 565.024, Section 1, Line 2 by inserting "involving a motor vehicle" after the word "violation".

and further amend Page 2, Line 3, by inserting "involving a motor vehicle" after the word "violation".

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 993**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1168**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1304**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1133**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Consumer Protection , Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 816**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 816, page 3, section 209.255, line 7 by striking the word "company"; and further amend line 9, by striking the words "local exchange"; and further amend line 10, by striking the words "local exchange".

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 1440**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Correctional and State Institutions, Chairman Crump (152) reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 830 and HB 1082**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1359**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1431**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 833**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No.1

AMEND House Bill No. 833, Page 1, Section 1, Line 17, by inserting after the word "**pupil**" the following: "**, absent any negligence by the district, its employees or its agents,**"; and

Further amend said bill, Page 1, Section 1, Line 19, by inserting after the words "**the school nurse,**" the following: "**absent any negligence by the district, its employees or its agents,**"; and

Further amend said bill, Page 2, Section 1, Lines 28 and 29, by deleting all of said lines; and

Further amend said bill, Page 2, Section 1, Line 30, by deleting the number "**3**" and inserting in lieu thereof the number "**2**"; and

Further amend said bill, Page 2, Section 1, Line 33, by deleting the number "**4**" and inserting in lieu thereof the number "**3**"; and

Further amend said bill, Page 2, Section 1, Line 35, by deleting the number "**5**" and inserting in lieu thereof the

number "**4**".

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1310**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1523**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education-Higher, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Education-Higher, to which was referred **HB 918**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Education- Higher, to which was referred **HB 1166**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Elections, Chairman Days (71) reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 867, HB 893 and HB 1401**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1477**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1557 and HB 1489**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Energy and Environment, Chairman Garnett reporting:

Mr. Speaker: Your Committee on Energy and Environment, to which was referred **HB 1103**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Federal- State Relations and Veterans Affairs, Chairman Montgomery reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HB 1076**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Federal- State Relations and Veterans Affairs, to which was referred **HB 1115**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HB 1131**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HB 1295**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Fees and Salaries, Chairman Marshall (26) reporting:

Mr. Speaker: Your Committee on Fees and Salaries, to which was referred **HB 1180**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1145**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1289**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Insurance, to which was referred **HB 1540**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1228**, begs leave to report it has examined the same and recommends that it **Do Pass, with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND HOUSE BILL 1228, Page 2, Section 610.010, Line 25, by deleting the words "any other", and by inserting in lieu thereof the following: "**chief**";

And FURTHER AMEND SAID SECTION, Line 27, by inserting after the word "institution]" the following:

"**for the purpose of recommending policy or policy revisions to the governing body, president, chancellor or chief executive officer of said institution**".

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1535**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Local Government, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1132, HB 1049, HB 779, HB 1051 and HB 1544**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1278 and HB 1277**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 332**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 332

Whereas, the Missouri House of Representatives recognizes the importance of empowering citizens to actively participate in the democratic process; and

Whereas, the House has a long tradition of rendering assistance to those organizations which sponsor projects in the interest of good citizenship; and

Whereas, the Missouri Catholic Conference has as its purposes to promote the material and spiritual well being of all the people of the state of Missouri and to participate in the democratic process of government:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby grant the Missouri Catholic Conference permission to use the House Chamber and the House hearing rooms from 9:00 a.m. to 5:00 p.m. on August 31, 1996, for the purposes of a citizenship assembly and workshop.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 305**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 305

Whereas, each year, 4-H Club delegates come to our State Capitol to attend the 4-H Missouri Citizenship Workshop; and

Whereas, the Missouri Citizenship Workshop is sponsored by University Extension 4-H Youth Development Programs in order to provide an educational experience in state government for students who have completed the eighth grade or above; and

Whereas, this annual event gives participants a new insight into our democratic process through a mock legislative forum; and

Whereas, the General Assembly has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby grant this year's 4-H delegates attending the Missouri 4-H Citizenship Workshop permission to use the House committee hearing rooms from 8:30 a.m. to 4:00 p.m. on July 2, 1996, and further grant them permission to use the House Chamber for the purpose of conducting their mock legislative session from 9:00 a.m. to 11:30 a.m. on July 3, 1996.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 353**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 353

Whereas, the General Assembly of the State of Missouri has a long tradition of rendering assistance to worthwhile youth activities, especially those related to governmental or citizenship projects; and

Whereas, the Jefferson City Downtown Rotary Club has sought to instill values of high integrity within our youth and to provide an opportunity for Missouri students to experience state government firsthand; and

Whereas, the General Assembly has maintained a policy of granting such organizations permission to use the House Chamber for beneficial purposes; and

Whereas, this year, the Downtown Rotary Club is sponsoring its annual Student Government Day, an event which will be highlighted by a meeting in the House Chambers at our State Capitol, where the students in attendance will be addressed by representative of each or the three branches of government:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby grants the Jefferson City Rotary Club permission to use the House Chamber for the purpose of conducting its Student Government Day on April 8, 1996, from 10:00 a.m. until 11:30 a.m.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 6**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Concurrent Resolution No. 6

BE IT RESOLVED by the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, that the Missouri Secretary of State prepare and cause to be collated, indexed, printed and bound, all acts and resolutions of the Eighty-eighth general Assembly, First and Second Regular Sessions and extra sessions, if any, and examine the printed copies and compare them with and correct the same by the original rolls, note all errors, if any, which have been committed and cause errata thereof to be annexed to the completed printed copies, together with an attestation under the hand of the Secretary of State that she has compared the same and the original rolls in her offices and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding be substantially the same as used in prior session laws and the size and style of type be determined by the Secretary of State; and

BE IT FURTHER RESOLVED that the Secretary of State be authorized to print and bind up to tow thousand five hundred (2,500) copies of the acts and resolutions of the Eighty-eighth General Assembly with appropriate indexing.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 1443**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1 and House Committee Amendment No. 2.**

House Committee Amendment No. 1

AMEND House Bill No. 1443, pages 4 and 5, section 138.395, lines 1-24 by deleting all of said section from the bill and inserting in lieu thereof six new section as follows:

"137.776. As used in sections 137.776 to 137.783, the following terms mean:

(1) "Assessor", the county assessor as provided for in chapter 53, RSMo;

(2) "Certificate of value", a form for recording the following:

(a) In the case of any deed not a gift, the amount of the full actual consideration therefor, paid or to be paid, including the amount of any lien or liens thereon; and

(b) A statement of the actual or intended use of such property; and

(c) A statement as to whether or not the transaction was at arms length; or

(d) The reason or reasons why any information set out in paragraphs (a) and (b) of this subdivision is not required, as set forth in section 137.780;

(3) "Recorder", the recorder of deeds as provided for in chapter 59, RSMo

.

137.777. 1. No recorder shall accept for recording any deed or instrument by which any interest in real property within the state of Missouri shall be granted, assigned, transferred or otherwise conveyed to, or vested in, any person or persons unless a completed certificate of value is delivered to the recorder. The certificate of value received by the recorder shall not be filed by the recorder, but shall be transmitted to the assessor within a reasonable time after its receipt by the recorder.

2. Each and every one of the following persons are responsible for the delivery of a certificate of value:

(1) The grantee of the deed or instrument, and each responsible officer and agent of a grantee which is a corporation, partnership or other entity; and

(2) The attorney, real estate agent or broker, and title company representing the grantee in any such transaction, or delivering the deed or other instrument to the recorder, and including each responsible officer and agent of the foregoing

.

137.779. 1. Each certificate of value delivered pursuant to sections 137.776 to 137.783 shall be affirmed by one of the grantees, or the grantee's legal representative, as to the veracity of the declaration of value of the property transferred.

2. The form of the certificate of value shall include the affirmation required by subsection 1 of this section and shall be prescribed by the state tax commission, which shall provide an adequate supply of such forms without charge to each recorder in the state.

3. In the case of every certificate of value delivered, the assessor shall insert the most recent assessed value of each parcel of the transferred property on both copies of the certificate of value and shall within sixty days of receipt of the certificate of value transmit the original copy to the state tax commission or otherwise arrange for the state tax commission to obtain the same. The state tax commission may provide acceptance of the information contained on the certificate of value by alternative means, including electronic transmission.

4. Any person found guilty of violating any provision of this section is guilty of a class C misdemeanor.

137.780. The financial data required on the certificate of value pursuant to sections 137.776 to 137.783 need not be provided on a certificate of value for a transfer of title or other interest in real property:

(1) When the consideration for the interest or property conveyed is less than one hundred dollars;

(2) Made solely to provide or release security for a debt or obligation;

(3) Which confirms or corrects a deed previously recorded;

(4) Between husband and wife or parent and child with only nominal actual consideration therefor;

(5) Made in settlement of a dissolution of marriage;

(6) Made pursuant to a sale for delinquent taxes;

(7) Made in the closing or liquidation of an estate or guardianship estate;

(8) On partition;

(9) Made by a subsidiary corporation to its parent corporation for no consideration, nominal consideration or in sole consideration of the cancellation or surrender of the subsidiary's stock;

(10) Made in the foreclosure of a deed of trust or other security interest;

(11) If the instrument was executed prior to the effective date of sections 137.776 to 137.783;

(12) When the instrument is a mining or mineral lease;

(13) When the transfer of title is to or from the United States, the state of Missouri, or any other instrumentality, agency or political subdivision thereof;

(14) Of cemetery lots;

(15) When ordered by any court;

(16) When such property is located in a political subdivision which has established by ordinance or amendment its own system of requiring certificates of value; except that, in such political subdivisions the provisions of section 137.779, relating to recording assessed valuation on the certificate of value and transmitting one copy to the state tax commission, shall apply.

137.782. 1. Except as provided in sections 137.776 to 137.783, it shall be unlawful for the assessor, state tax commission or any officer, employee, agent or deputy or former assessor, tax commission officer, employee or agent to disclose any information received as a result of the filing of a certificate of value required by sections 137.776 to 137.780.

2. Nothing in sections 137.776 to 137.783 shall be construed to prohibit:

(1) The use of information contained in a certificate of value by the assessor for statistical purposes in implementing a plan of general reassessment as that term is defined in section 137.073 or implementing an assessment and equalization maintenance plan approved pursuant to section 137.115;

(2) The use of information contained in a certificate of value by the state tax commission in developing ratios as required by chapter 163, RSMo, or other statistical purposes or public proceedings;

(3) The release of information contained in a certificate of value by the assessor upon receipt of a written request therefor to a party who originally delivered the certificate of value or such party's duly authorized representative;

(4) The release of information contained in a certificate of value by the assessor upon receipt of a written request therefor to a state-licensed, certified appraiser or such appraiser's employees or agents for use in determining the fair market value of a comparable piece of property, provided that such information be used only in connection with the preparation and publication of an appraisal report and in the testimony thereon and is not otherwise disclosed by such appraiser or his or her employees or agents;

(5) The publication by the state tax commission of statistics so classified as to prevent the identification of particular certificates of value;

(6) The disclosure of certificates of value, or information related thereto, by the assessor upon receipt of a written request therefor to the state auditor or the auditor's duly authorized employees or agents who have taken the oath of confidentially required by section 29.070, RSMo, or the publication or disclosure by the state auditor of information concerning the certificates of value provided a particular certificate of value is not disclosed;

(7) Upon a written request to the assessor, the disclosure of information on comparable properties to a requesting taxpayer to the extent it directly affects an assessment of the taxpayer's property, or the disclosure of such information to a board of equalization, administrative agency or court in the property tax appeals process. Such information received by a taxpayer shall be kept strictly confidential by the taxpayer or the taxpayer's agents and shall not be used outside the context of the appeals process. Any such information submitted as evidence by either party in the property tax appeals process shall be marked confidential and sealed, and no decision or order pertaining to such an appeal shall disclose the identification of particular certificates of value.

3. Any person found guilty of violating any provision of this section is guilty of a class A misdemeanor.

137.783. It shall be unlawful for any information gathered as a result of the provisions of sections 137.776 to 137.783 to be used as a means for property assessment, except as provided in subdivision (1) of subsection 2 of section 137.782, or in conformity with a plan approved by the state tax commission pursuant to section 137.750. Any person found guilty of violating this section is guilty of a class A misdemeanor.

Section B. Sections 137.776, 137.777, 137.779, 137.780, 137.782, and 137.783 of this act shall become effective October 1, 1996."

And further amend HB 1443, by amending the title and enacting clause accordingly.

House Committee Amendment No. 2

AMEND House Bill No. 1443, page 1, section 137.115, line 10, by removing the opening bracket "**[**" in front of the word "first" and removing the closing bracket "**]**" after the word "year"; and

further amend said bill, page, and section, lines 10 and 11, by striking the bold words "**1, 1997, and every four years thereafter**" from said lines; and

further amend said bill, page and section, line 11 by removing the opening bracket "**[**" in front of the comma and word ", those"; and

further amend said bill, page and section, line 12, by removing the closing bracket "**]**" after the word "year"; and

further amend said bill, page 2, section 137.115, line 14 by removing the opening and closing brackets "[ ]" around the word "odd-numbered"; and

further amend said bill, page, section, and line, by striking the bold words "**in which new assessed values were determined**" from said line.

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 840 and HB 841**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations , to which was referred **HB 1399**, begs leave to report it has examined the same and recommends that it **Do Pass, with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1399, Page 1, Title, Line 2, by deleting the words "glass repair and replacement" and inserting in lieu thereof the word "repair" ; and

Further amend said bill, Page 1, Section 1, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following: "**(1) "Broker", an automobile repair company that acts as a third party agent for the insurers for**

the purpose of entering into agreements with other automobile repair dealers to perform automobile repairs, including glass replacement or glass repair work;" ; and

Further amend said bill, Page 1, Section 1, Line 5, by deleting all of said line and inserting in lieu thereof the following: "**(2) "Repair company", any person, partnership or corporation in the business of automobile repair, including**" ; and

Further amend said bill, Page 1, Section 2, Line 4, by deleting the word "**glass**" and inserting in lieu thereof the word "**repair**" ; and

Further amend said bill, Page 1, Section 2, Line 5, by inserting immediately after the word "**automobile**" the words "**repair, including**" ; and

Further amend said bill, Page 1, Section 2, Line 7, by deleting all of said line and inserting in lieu thereof the following: "**an insured person to use a particular repair company or location to provide automobile repair, including glass**" ; and

Further amend said bill, Page 1, Section 2, Line 9, by deleting the word "**glass**" ; and

Further amend said bill, Page 2, Section 2, Lines 10 and 11, by deleting all of said lines and inserting in lieu thereof the following: "**insurance company under which the broker sets a price that must be met by a repair company as a condition for doing automobile repair, including glass replacement or repair for the insurance company;**" ; and

Further amend said bill, Page 2, Section 2, Line 13, by deleting the word "**glass**" and inserting in lieu thereof the word "**repair**"; and

Further amend said bill, Page 2, Section 2, Line 14, by inserting immediately after the word "**doing**" the words "**automobile repair, including**" ; and

Further amend said bill, Page 2, Section 2, Line 18, by inserting immediately after the word "**automobile**" the words "**repair, including**" ; and

Further amend said bill, Page 2, Section 2, Line 22, by inserting immediately after the word "**automobile**" the words "**repair, including**" ; and

Further amend said bill, Page 2, Section 3, Line 1, by inserting immediately after the word "**in**" the words "**automobile repair, including**" ; and

Further amend said bill, Page 2, Section 3, Line 5, by inserting immediately after the word "**directing**" the words "**automobile repair, including**" ; and

Further amend said bill, Page 2, Section 3, Line 7, by inserting immediately after the word "**in**" the words "**automobile repair, including**" ; and

Further amend said bill, Page 2, Section 3, Line 9, by inserting immediately after the word "**automobile**" the words "**repair, including**".

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1110**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1473**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1566**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1428**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1537**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1000**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1080,** begs leave to report it has examined the same and recommends that it **Do Pass, with House Committee Amendment No. 1.**

House Committee Amendment No.1

AMEND House Bill No. 1080, Page 2, section 334.100, Line 39, by deleting the opening bracket "[" before the word "Performing"; and

Further amend said bill, Page 2, Section 334.100, Line 41, by deleting the closing bracket "]" after the letter "(g)"; and

Further amend said bill, Page 3, Section 334.100, Line 75, by deleting the opening bracket "[" after the word "is"; and

Further amend said bill, Page 3, Section 334.100, Line 80, by deleting the following: "professional] **determined to**" and inserting in lieu thereof the following: "profession;"; and

Further amend said bill, Pages 3 and 4, Section 334.100, Lines 81 through 90, by deleting all of said lines.

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **HB 1398, HB 1339, HB 1488 and HB 1114**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1055**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1362**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1117**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 961**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1279**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1101**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1112**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1524**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Urban Affairs, Chairman Thompson (37) reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 956**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1586, introduced by Representatives Ford, Shields, Witt and Kelly (27), relating to the historic preservation revolving fund.

HB 1587, introduced by Representative Hendrickson, relating to certain weapons offenses.

HB 1588, introduced by Representative Overschmidt, relating to the Mississippi River Parkway Commission.

HB 1589, introduced by Representative Childers, relating to the general assembly.

HB 1590, introduced by Representative Harlan, relating to streamlining of employment security programs and services.

HB 1591, introduced by Representative Bartelsmeyer, et al, relating to landowner's liability.

HB 1592, introduced by Representative Murray (135), et al, relating to liquor.

HB 1593, introduced by Representative Reynolds, relating to financial institutions.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 21**, entitled:

SENATE COMMITTEE SUBSTITUTE
FOR
SENATE CONCURRENT RESOLUTION NO. 21

WHEREAS, agriculture is a dominant and important industry in Missouri, one which is critical to the well-being of all Missourians; and

WHEREAS, animal production in Missouri, including swine production, is growing and changing dramatically; and

WHEREAS, the regulation of large, confined animal production facilities is important both to public health and to the environment; and

WHEREAS, complying with regulations concerning these facilities is an expensive and difficult process; and

WHEREAS, there are currently more than five different proposals being debated in the Missouri General Assembly which contain provisions for changing the regulations on confined animal feeding operations in this state; and

WHEREAS, it is unfair to both the public and to the applicant farmers to continue permit processing for animal production facilities when the laws may change; and

WHEREAS, the fact that such requirements are constantly subject to change places the Department of Natural Resources in a very difficult position when trying to decide on what requirements to include in a permit:

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate of the Eighty-eighth General Assembly, the House of Representatives concurring therein, that the Director of the Department of Natural Resources be requested not to issue any Class IA or IB swine handling waste facility construction permits for new operating locations, which were applied for after January 1, 1996 and which will handle more than 2,500 swine units; and

BE IT FURTHER RESOLVED that the Director of the Department of Natural Resources is requested to continue this moratorium until June 15, 1996; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare a properly inscribed copy of this resolution for the Director of the Department of Natural Resources.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 499**, entitled:

An act relating to special motor vehicle license plates for certain veterans.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 522**, entitled:

An Act to repeal section 302.272 RSMo 1994, relating to school bus operator permits, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 533, 512 & 581**, entitled:

An act to amend chapter 376, RSMo, by adding one new section relating to certain health insurance benefits following the birth of a child.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #3 SB 547**, entitled:

An act to repeal sections 557.036, 558.018 and 558.021, RSMo 1994, and sections 566.607 and 566.610, RSMo Supp. 1995, relating to sex offender sentencing, and to enact in lieu thereof seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 632**, entitled:

An act to repeal section 301.041, RSMo 1994, relating to commercial vehicle registration, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 659**, entitled:

An act to amend chapter 190, RSMo, by adding one new section relating to the provisions of emergency response services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 664**, entitled:

An act to repeal sections 442.605, 442.610 and 442.615, RSMo 1994, relating to real estate settlement agents, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 694**, entitled:

An act to repeal section 172.350, RSMo 1994, relating to police officers of the state university, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 727**, entitled:

An act to repeal section 630.140, RSMo 1994, relating to confidential records, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 758**, entitled:

An act to repeal section 700.455, RSMo 1994, relating to manufactured homes, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 768**, entitled:

An act to repeal sections 402.215 and 473.657, RSMo 1994, relating to Missouri family trust, and to enact three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 780**, entitled:

An act to repeal sections 390.150 and 622.010, RSMo 1994, relating to motor carriers, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 792**, entitled:

An act to repeal section 301.330, RSMo 1994, relating to the display of information on commercial motor vehicles, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 904**, entitled:

An act to repeal section 64.905, RSMo 1994, relating to planning and zoning in certain counties, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 806**, entitled:

An act to repeal section 58.700, RSMo 1994, relating to county coroners and medical examiners, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 826**, entitled:

An act to repeal section 319.200, as enacted by senate committee substitute for house committee substitute for house bills nos. 1434 and 1490 of the second regular session of the eighty-sixth general assembly and signed by the governor on July 9, 1992, and section 319.200, as enacted by senate substitute for house substitute for house bill no 1574 of the second regular session of the eighty-sixth general assembly and signed by the governor on July 6, 1992, as both sections appear in RSMo 1994, relating to seismic construction and renovation ordinances, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 870**, entitled:

An act to authorize the department of highways and transportation to convey certain lands of the department of highways and transportation in Shannon County, Missouri.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, March 4, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Fourth Day, Wednesday, February 28, 1996, pages 2 and 3, roll call, by showing Representative Stokan voting "aye" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representative Hoppe voting "aye" rather than "absent with leave".

Pages 7, roll call, by showing Representative Kreider voting "no" rather than "absent with leave".

Pages 13 and 14, roll call, by showing Representative Legan voting "aye" rather than "absent with leave".

Pages 14 and 15, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 15 and 16, roll call, by showing Representative Jacob voting "no" rather than "aye".

Pages 15 and 16, roll call, by showing Representatives Koller, Secrest, Nordwald, Franklin, Kasten and Hickey voting "aye" rather than "absent with leave".

Page 18, by inserting after line 14, the following:

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated pursuant to Rule 48:

HB 1282 - Rules, Joint Rules and Bills Perfected and Printed

COMMITTEE MEETINGS

BUDGET

Monday, March 4, 1996, 2:30 pm. Hearing Room 9. Mark-up will follow hearing HB 1001- HB 1012

To be considered - HB 1011, HB 1012

BUDGET

Monday, March 4, 1996, 8:00 pm. Hearing Room 9. Mark-up will follow hearing HB 1001- HB 1012

To be considered - HB 1012

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 6, 1996, 8:00 am. Hearing Room 8

To be considered - HB 1444, HB 1520, HJR 43, HB 1559, HB 1333, HB 1433

HOUSE AUTOMATION AND INTERNET COMMITTEE

Monday, March 4, 1996, 1:00 pm. Hearing Room 5

JUDICIARY AND ETHICS

Tuesday, March 5, 1996. Hearing Room 5 upon morning adjournment.

Executive Session May Follow

To be considered - HB 1554, HB 1562, HB 1384, HB 1385, HB 1388, HB 1389

LABOR

Tuesday, March 5, 1996, 8:00 pm. Hearing Room 8

To be considered - HB 1565, Executive Session - HB 1366

MOTOR VEHICLE & TRAFFIC REGULATIONS

Monday, March 4, 1996, Hearing Room 7. Executive Session May Follow.

To be considered - HB 1569

PUBLIC HEALTH AND SAFETY

Tuesday, March 5, 1996. Hearing Room 9 upon morning adjournment.

Executive Session to Follow

To be considered - HB 770, HB 1183, HB 1326, HB 1426

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, March 4, 1996, 8:00 pm. Hearing Room 8.Executive Session to

Follow. Corrected Notice

To be considered - HB 1578

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Monday, March 4, 1996, 2:30 pm. Senate Committee Room 1. Contested Fiscal Notes

To be considered - SB 611, HB 974

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 4, 1996, 8:00 pm. Hearing Room 5. Proponents heard on March

18th, opponents heard March 25th.

To be considered - HB 1461

HOUSE CALENDAR

THIRTY-SIXTH DAY, MONDAY, MARCH 4, 1996

HOUSE BILLS FOR SECOND READING

HB 1586 through HB 1593

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HB 832, as amended - Montgomery
4 HCS HB 945 - Smith
5 HB 782, HCA 1 - Stokan
6 HCS HB 980 - Farnen
7 HCS HB 1169 & 1271, Williams (121) - Hosmer
8 HCS HB 1099 - Williams (159)
9 HB 1243, HCA 1 - Farmer
10 HCS HB 1207, 1288, 1408 & 1409 - Tate
11 HB 985 - Franklin
12 HB 1368 - May (108)
13 HCS HB 1363 - Mays (50)
14 HB 1113 - Stoll
15 HB 811 - Smith
16 HB 962 - Lumpe
17 HB 1361, HCA 1, Gibbons - Treadway
18 HCS HB 1372 - Mays (50)
19 HCS HB 1174 & 1309 - May (108)
20 HCS HB 1159, 842 & 799 - Jacob
21 HB 908, HCA 1 Thomason (163) - Ross
22 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
23 HB 852, HCA 1 - Canuteson
24 HCS HB 999 - Treadway
25 HCS HB 1186 - Hoppe
26 HCS HB 1237 - Rizzo
27 HB 1241 - Witt
28 HCS HB 1185 - McClelland
29 HB 839 - Luetkenhaus
30 HB 1411 - Loudon
31 HCS HB 1149, 1150 & 1240 - Jacob
32 HCS HB 894 - Bray
33 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
34 HB 1380 - Lumpe

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HOUSE BILLS FOR PERFECTION - CONSENT

(February 27, 1996

1 HB 986 - Luetkenhaus
2 HB 1244, Farmer - Cooper
3 HB 1097 - Hosmer
4 HB 1541, Hagan-Harrell - Franklin
5 HB 1217 - Shear
6 HB 1379, Gross - Lumpe
7 HB 1404 - O'Toole
8 HB 1469 - Skaggs
9 HB 979 - Crump
10 HB 823 - Barnett
11 HB 937 - Marshall (26)
12 HB 1400 - Lumpe
13 HB 806 - Hagan-Harrell
14 HB 1081 - Carter
15 HB 1123 - Mays (50)
16 HB 766 - Clayton
17 HB 1248 - Scheve
18 HB 1460, Wiggins - Nordwald
19 HB 809, Shields - Tate
20 HB 1300 - Hartzler (123)
21 HB 1346 - Van Zandt
22 HB 1297 - Lakin
23 HB 1355 - O'Toole
24 HB 1221 - Farnen
25 HB 1093 - Foley
26 HB 929 - Auer
27 HB 1119 - Lakin
28 HB 1432, Leake - Liese
29 HB 791, Ross - Lograsso
30 HB 1441, Ross - Lakin
31 HB 941 - Smith
32 HB 773 - Backer

(March 4, 1996

33 HB 1295 - Gunn

34 HB 1101 - Franklin
35 HB 1171 - Tate
36 HB 1524 - Hosmer
37 HB 1362 - Evans
38 HB 1168 - Crum (112)
39 HB 956 - VanZandt
40 HB 1117 - Green
41 HB 1523 - Linton
42 HB 1055 - Overschmidt
43 HB 1537 - Treadway
44 HB 1359 - Green
45 HB 1566 - Richardson
46 HB 1428 - Leake
47 HB 1473 - Shear (83)
48 HB 1110 - Treadway
49 HB 1076 - Childers
50 HB 1166 - McClelland
51 HB 1420 - Sears (1)
52 HB 1305 - Gratz
53 HB 1440 - Backer
54 HB 1315 - Schwab
55 HB 918 - Hosmer
56 HB 1477 - Days (71)
57 HB 1131 - Kreider
58 HB 1369 - Thomason (163)
59 HB 1431 - Shields
60 HB 993 - Williams (121)
61 HB 1304 - Hosmer

HOUSE BILLS FOR THIRD READING

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 800,812,817 & 821 - Hosmer

SENATE BILLS FOR SECOND READING

1 SB 499
2 SB 522
3 SCS SB 533, 512 & 581
4 SS#3 SB 547
5 SB 632
6 SB 659
7 SB 664
8 SCS SB 694
9 SB 727
10 SCS SB 758
11 SB 768
12 SB 780
13 SB 792
14 SCS SB 806
15 SB 826
16 SB 870
17 SB 904

SENATE BILLS FOR THIRD READING

SCS SB 540, E.C. - Marshall (133)

HOUSE RESOLUTIONS

HR 199 - Gratz & Vogel

House Members
Bill Information
Committees
Media Center
General Information
Past Session Archives

RELATED LINKS
University of Missouri Review Commission
Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
Frequently Requested Resources

Who is your Representative?
Go
(zip code or zip+4)

Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

THIRTY-SIXTH DAY, Monday, March 4, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"There is a time to keep and a time to throw away..." (Eccles. 3:6).

Today we begin a new month, and we begin our spring break at the end of this week. It is a time for checking on the score and the signals for the half way mark of this session. We have had our moments of anxiety with the election of a Speaker, some humor over the speed limit law filibuster, and lots of frustration with our weather going from a record high to a record low at the end of February.

Eternal God, give us the usual wisdom for which we rely on you to put this day and this month and this turning point in the session into the perspective of eternity and the big picture of life in our world.

We recognize and pray for the Celts of Welsh background who celebrate St. David on Friday and the Scotti, usually called the Irish, who will celebrate St. Patrick's Day on March 17. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Brent Birdwell and Erin Paul.

The Journal of the thirty-fifth day was approved as corrected.

RESOLUTIONS

Representative Griesheimer offered House Resolution No. 414, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Goward offered House Resolution No. 415.

House Resolution No. 415

Whereas, thirty years ago, a new political force was formed in Missouri when the thirteen African-American members of the Missouri General Assembly, a unique group of leaders, took initiative from the Civil Rights movement to establish the Missouri Legislative Black Caucus; and

Whereas, the Legislative Black Caucus was born to empower Blacks in the legislative process and to promote equality and a higher standard of living among African-Americans in Missouri, who had been forced to contend with poor housing, high unemployment, and widespread discrimination in employment practices; and

Whereas, these injustices began to be formally addressed for the first time through a comprehensive political strategy implemented by the original members of the Legislative Black Caucus, who were Senator Theodore D. McNeal from the Fourth District, and Representatives Henry Ross, District No. 10; Leon M. Jordan, District No. 11;

James W. Spencer, District No. 13; Harold L. Holliday, District No. 14; James P. Troupe, Sr., District No. 53; Raymond Howard, District No. 54; DeVerne Lee Calloway, District No. 70; Elsa Debra Hill, District No. 71; Franklin Payne, District No. 73; Johnnie S. Aikens, District No. 74; John Conley, Jr., District No. 75; and Russell Goward, District No. 76; and

Whereas, the Legislative Black Caucus earned early recognition for its determination and strength of unity by winning a hard-fought battle to redraw the First Congressional District to bring about the election of the first Black Missouri legislator to serve in the United States Congress, the Honorable William L. Clay, Sr.; and

Whereas, over the past three decades, the Missouri Legislative Black Caucus has been a strong advocate and supporter of affirmative action, and has thereby positively influenced the quality of life for Black Missourians and for other minorities; and

Whereas, of the thirteen original founding members of the Black Caucus, four are still living, and one continues to serve in the Missouri House of Representatives:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby proudly join with the Missouri Legislative Black Caucus in commemorating thirty years of an exceptionally proud tradition of leadership and progress, and in the spirit of this Thirtieth Anniversary year, reaffirm our commitment to affirmative action; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for presentation during the Thirtieth Anniversary of the Missouri Legislative Black Caucus.

On motion of Representative Goward, Rule 63 was suspended and House Resolution No. 415 was adopted.

Representative Jacob offered House Resolution No. 416, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface and Burton offered House Resolution No. 417, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 418, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 419 through 421, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 422, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 423, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 424, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1596 through **HB 1593** were read the second time.

SECOND READING OF SENATE BILLS

SB 499, SB 522, SCS SBs 533, 512 & 581, SS #3 SB 547, SB 632, SB 659, SB 664, SCS SB 694, SB 727, SCS SB 758, SB 768, SB 780, SB 792, SCS SB 806, SB 826, SB 870 and SB 904 were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HBs 800, 812, 817 & 821, HCS HB 1249, HB 992 and HB 1377**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

REFERRAL OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was referred to the Committee indicated:

HJR 58 - Budget

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1581 - Ways and Means

HB 1582 - Ways and Means

HB 1583 - Children, Youth and Families

HB 1584 - Correctional and State Institutions

HB 1585 - Professional Registration and Licensing

HB 1586 - State Parks, Recreation and Natural Resources

HB 1587 - Judiciary and Ethics

HB 1588 - Tourism, Recreation and Cultural Affairs

HB 1589 - Miscellaneous Bills and Resolutions

HB 1590 - Workers' Compensation and Employment Security

HB 1591 - Judiciary and Ethics

HB 1592 - Local Government and Related Matters

HB 1593 - Banks and Financial Institutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HCS HBs 800, 812, 817 & 821 - Budget (Fiscal Note)

HCS HB 1249 - Budget (Fiscal Note)

HB 1377 - Budget (Fiscal Note)

PERFECTION OF HOUSE BILL

HB 832, as amended, relating to veterans cemeteries, was again taken up by Representative Montgomery.

Representative Surface offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 832, Page 2, Section 1.1, Line 7, by placing in opening brackets Higginsville & completing bracket after Jefferson County. Further add after Jefferson County "communities with the greatest need as determined by the Missouri Veterans Commission"

On motion of Representative Surface, House Amendment No. 1 was adopted by the following vote:

AYES: 084

Akin	Alter	Auer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Ford	Foster
Froelker	Gaskill	Gibbons	Graham	Griesheimer
Gross	Hall	Hand	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	McClelland	Mitchell	Murphy
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schilling	Schwab	Scott
Secrest	Sheldon 104	Shields	Sombart	Steen
Stokan	Summers	Surface	Vogel	Wannenmacher
Whiteside	Wieland	Williams 121	Wooten	

NOES: 073

Backer	Bland	Boucher	Bray	Canuteson

Carter	Clayton	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Franklin
Garnett	Goward	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hickey	Hoppe
Hosmer	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Liese	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McBride
McLuckie	Montgomery	Morgan	Murray 69	O'Connor
O'Neill	O'Toole	Overschmidt	Pauley	Prost
Reynolds 57	Rizzo	Scheve	Sears 1	Shelton
Skaggs 163	Smith	Stoll	Tate	Thomason
Thompson 37	Treadway	Troupe	Van Zandt	Wiggins
Williams 159	Witt	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Ribaudo	Shear 83	Ward

VACANCY: 003

Representative Jacob offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 832, Page 2, Line 30, by deleting the brackets on Line 30 and the remaining language on Line 30

Representative Froelker offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Bill No. 832, Page 2, Section 318.835, Line 29, by deleting on said line "Remaining Unencumbered Funds" and inserting in lieu thereof "First 3 million Dollars" and further amend said bill and section, line 30 by adding after the period "Until July 1, 2004.".

On motion of Representative Froelker, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted.

HB 832, as amended, was placed on the Informal Calendar.

LETTER OF OBJECTION

February 28, 1996

Mr. Douglas Burnett

Chief Clerk of the House

Room 306-C, Capitol Building

Jefferson City, MO 65101

Dear Mr. Burnett:

In accordance with House Rule 48, the undersigned hereby file a written objection and respectfully request that **HB 806** be stricken from the House Consent Calendar and be returned to Public Health and Safety.

We feel this bill is of a controversial matter.

/s/ T. Mark Elliott

/s/ Pat Kelley

/s/ Jess Garnett

/s/ Don Koller

/s/ Jason Klumb

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated pursuant to Rule 48:

HB 806 - Rules, Joint Rules and Bills Perfected and Printed

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 858**, entitled:

An act to repeal sections 191.650, 191.656, 191.663 and 191.686, RSMo 1994, relating to acquired immune deficiency syndrome, and to enact five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 855**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1430 and HB 1165**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Education - Higher, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1414**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1414, Page 1, Section 174.800, Lines 11 & 12, to amend Chapter 174, RSMo, by enacting six new sections relating to the establishment of an optional retirement program for certain employees of the regional colleges and universities.

Amend House Bill No. 1414, Page 1, Section 174.800, Line 11, by deleting ", Missouri" after Missouri Western State University and replacing in lieu thereof the following: "and Missouri"; and

Further amend said bill and section, Page 1, line 12, by deleting "and the Missouri Coordinating Board for Higher Education".

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1429**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **DEMOCRATIC POLICY GROUP CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.470 (6) 4 (2) and (c) d RSMo.**

February 1, 1996

To: House Ethics Committee

From: Representative Joan Bray

Re: Democratic Policy Group Caucus

In accordance with Section 105.470 (6) 4 (2) and (c) d RSMo 1991 we are listing the following members of the House of Representatives as members of the "Democratic Policy Group Caucus":

REPRESENTATIVE	DISTRICT
/s/ Phil Tate	3
/s/ Gracia Backer	20
/s/ Steve Gaw	22
/s/ Tim Harlan	23
/s/ Glenda Kelly	27
Gary Witt	29
/s/ Scott Lakin	33
Greg Canuteson	34
/s/ Rodger Fitzwater	36
/s/ Tim VanZandt	38

/s/ Annette Morgan	39
/s/ Mary Bland	43
/s/ Steve McLuckie	44
/s/ Carol Jean Mays	50
/s/ Paula Carter	61
/s/ Nancy Farmer	64
/s/ Rita Days	71
/s/ Sheila Lumpe	72
/s/ Lana Stokan	76
/s/ Sue Shear	83
/s/ Joan Bray	84
/s/ Deleta Williams	121
/s/ Jason Klumb	125
/s/ Mike Schilling	136
Craig Hosmer	138
/s/ Lloyd Daniel	42
Russell Gunn	70
Phil Smith	11

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1594, introduced by Representative Clay Crum, relating to candidate filing.

HB 1595, introduced by Representatives Bennett, Foster, Koller, et al, relating to motor vehicles.

HB 1596, introduced by Representative Clayton, relating to electronic tracking devices.

HB 1597, introduced by Representative Jacob, relating to sales taxation.

HB 1598, introduced by Representative Hosmer, relating to the secretary of state's investor education fund.

HB 1599, introduced by Representative Bray, relating to the Missouri family services advisory council.

HB 1600, introduced by Representatives Farmer, Lumpe, Scheve and Green, relating to income tax credits.

WITHDRAWAL OF HOUSE BILL

March 4, 1996

The Honorable Steve Gaw

Speaker of the House of Representatives

Room 308

Dear Steve:

I respectfully request that **House Bill 1334** be withdrawn from consideration.

Thank you for your prompt attention to my request.

Respectfully submitted,

/s/ Harriet Tatum Brown

State Representative, District 13

The following member's presence was noted: Ward.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, March 5, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-fifth Day, Thursday, February 29, 1996, page 20 by inserting after line 21 the following:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1369**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Page 12, line 17, by deleting the words "Do Pass by Consent" and inserting in lieu thereof the words " Do Pass".

Pages 2 and 3, roll call, by showing Representatives Barnett (4) and Donovan voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 6, 1996, 1:00 pm. Hearing Rooms 3 & 4. Executive Session May Follow.

To be considered - HB 1572, SB 521

BUDGET

Monday, March 4, 1996, 2:30 pm. Hearing Room 9. Mark-up will follow hearing HB 1001- HB 1012

To be considered - HB 1011, HB 1012

BUDGET

Monday, March 4, 1996, 8:00 pm. Hearing Room 9. Mark-up will follow hearing HB 1001- HB 1012

To be considered - HB 1012

BUDGET

Tuesday, March 5, 1996, 8:30 am. Hearing Room 9. Mark-up. Executive Session. Meeting may be cancelled if bills are finished Monday night.

To be considered - HB 1001, HB 1002, HB 1003, HB 1004, HB 1005, HB 1006, HB 1007, HB 1008, HB 1009, HB 1010, HB 1011, HB 1012

CIVIL AND CRIMINAL LAW

Wednesday, March 6, 1996, 1:00 pm. Hearing Room 8.

To be considered - HB 1415, HB 1050, HB 1086, HB 1574, HB 1575, HB 1193, HB 923, HB 1332

COMMERCE

Wednesday, March 6, 1996, 1:00 pm. Hearing Room 5. Executive Session to Follow.

To be considered - HB 858, HB 865

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, March 5, 1996, 1:00 pm. Hearing Rooms 3 & 4

To be considered - HB 1543, HB 1580

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 6, 1996, 8:00 am. Hearing Room 8

To be considered - HB 1444, HB 1520, HJR 43, HB 1559, HB 1333, HB 1433

HOUSE AUTOMATION AND INTERNET COMMITTEE

Monday, March 4, 1996, 1:00 pm. Hearing Room 5

JUDICIARY AND ETHICS

Tuesday, March 5, 1996. Hearing Room 5 upon morning adjournment.

Executive Session May Follow

To be considered - HB 1554, HB 1562, HB 1384, HB 1385, HB 1388, HB 1389

LABOR

Tuesday, March 5, 1996, 8:00 pm. Hearing Room 8

To be considered - HB 1565, Executive Session - HB 1366

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Monday, March 4, 1996, 8:00 pm. Hearing Room 7. Executive Session May Follow.

To be considered - HB 1569

MUNICIPAL CORPORATIONS

Wednesday, March 6, 1996. Hearing Room 7 upon morning adjournment.

Executive Session Will Follow.

To be considered - HR 226, SB 735

PUBLIC HEALTH AND SAFETY

Tuesday, March 5, 1996. Hearing Room 9 upon morning adjournment.

Executive Session to Follow. Amended Notice.

To be considered - HB 770, HB 1183, HB 1326, HB 1426, HB 1474

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, March 4, 1996, 8:00 pm. Hearing Room 8.Executive Session to Follow. Corrected Notice

To be considered - HB 1578

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, March 5, 1996, 8:00 pm. Hearing Room 5

To be considered - HB 1424, Executive Session - HB 1416, Executive Session - HB 1549,

Executive Session - HB 1424

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Monday, March 4, 1996, 2:30 pm. Senate Committee Room 1.

Contested Fiscal Notes.

To be considered - SB 611, HB 974

SUB-COMMITTEE ON PUBLIC HEALTH & SAFETY

Tuesday, March 5, 1996, 8:30 am. Hearing Room 5

To be considered - HB 1206, HB 1484

TRAVEL COMMITTEE

Wednesday, March 6, 1996, 9:00 am. Hearing Room 5

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 4, 1996, 8:00 pm. Hearing Room 5.

Proponents heard on March 18th, opponents heard March 25th.

To be considered - HB 1461

HOUSE CALENDAR

THIRTY-SEVENTH DAY, TUESDAY, MARCH 5, 1996

HOUSE BILLS FOR SECOND READING

HB 1594 through HB 1600

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HCS HB 945 - Smith
4 HB 782, HCA 1 - Stokan
5 HCS HB 980 - Farnen
6 HCS HB 1169 & 1271, Williams (121) - Hosmer
7 HCS HB 1099 - Williams (159)
8 HB 1243, HCA 1 - Farmer
9 HCS HB 1207, 1288, 1408 & 1409 - Tate

HB 985 - Franklin
HB 1368 - May (108)
HCS HB 1363 - Mays (50)
HB 1113 - Stoll
HB 811 - Smith
HB 962 - Lumpe
HB 1361, HCA 1, Gibbons - Treadway
HCS HB 1372 - Mays (50)
HCS HB 1174 & 1309 - May (108)
HCS HB 1159, 842 & 799 - Jacob
HB 908, HCA 1 Thomason (163) - Ross
HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
HB 852, HCA 1 - Canuteson
HCS HB 999 - Treadway
HCS HB 1186 - Hoppe
HCS HB 1237 - Rizzo
HB 1241 - Witt
HCS HB 1185 - McClelland
HB 839 - Luetkenhaus
HB 1411 - Loudon
HCS HB 1149, 1150 & 1240 - Jacob
HCS HB 894 - Bray
HCS HB 1199, 1357 & 1393, Reynolds - Kissell
HB 1380 - Lumpe

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - CONSENT

(February 27, 1996

HB 986 - Luetkenhaus
HB 1244, Farmer - Cooper
HB 1097 - Hosmer
HB 1541, Hagan-Harrell - Franklin
HB 1217 - Shear
HB 1379, Gross - Lumpe
HB 1404 - O'Toole
HB 1469 - Skaggs
HB 979 - Crump
HB 823 - Barnett
HB 937 - Marshall (26)
HB 1400 - Lumpe
HB 1081 - Carter
HB 1123 - Mays (50)
HB 766 - Clayton
HB 1248 - Scheve
HB 1460, Wiggins - Nordwald
HB 809, Shields - Tate
HB 1300 - Hartzler (123)
HB 1346 - Van Zandt
HB 1297 - Lakin
HB 1355 - O'Toole
HB 1221 - Farnen
HB 1093 - Foley
HB 929 - Auer
HB 1119 - Lakin
HB 1432, Leake - Liese
HB 791, Ross - Lograsso
HB 1441, Ross - Lakin
HB 941 - Smith
HB 773 - Backer

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HB 1295 - Gunn
HB 1101 - Franklin
HB 1171 - Tate
HB 1524 - Hosmer
HB 1362 - Evans
HB 1168 - Crum (112)
HB 956 - VanZandt
HB 1117 - Green
HB 1523 - Linton
HB 1055 - Overschmidt

42 HB 1537 - Treadway
43 HB 1359 - Green
44 HB 1566 - Richardson
45 HB 1428 - Leake
46 HB 1473 - Shear (83)
47 HB 1110 - Treadway
48 HB 1076 - Childers
49 HB 1166 - McClelland
50 HB 1420 - Sears (1)
51 HB 1305 - Gratz
52 HB 1440 - Backer
53 HB 1315 - Schwab
54 HB 918 - Hosmer
55 HB 1477 - Days (71)
56 HB 1131 - Kreider
57 HB 1369 - Thomason (163)
58 HB 1431 - Shields
59 HB 1304 - Hosmer

HOUSE BILLS FOR THIRD READING

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 800, 812, 817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 992 - Harlan

SENATE BILL FOR SECOND READING

SB 858

SENATE BILLS FOR THIRD READING

SCS SB 540, E.C. - Marshall (133)

HOUSE RESOLUTION

HR 199 - Gratz & Vogel

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House Journal

Second Regular Session, 88th General Assembly

THIRTY-SEVENTH DAY, Tuesday, March 5, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"In everything do to others as you would have them do to you." (Mt. 7:12).

As Super Tuesday approaches for us and we watch other primaries today around the nation, it is time for us to ask about campaign tactics and to be pro-active about our advertising message before our own re-election campaigns begin.

The major faiths echo our quote from Jesus today, the Jewish Talmud says "what is harmful to you, do not do to your fellow-humans" the Islamic faith says "no one of you is a believer until he desires for his brother that which he desires for himself" and Confucius wrote "if there is one maxim which ought to be acted upon throughout one's life, surely it is the maxim of loving kindness. Do not do unto others what you would not have them do to you."

Our prayer today, Gracious God, is to have the courage and the integrity to only tell the whole truth about ourselves and our opponents in mailings, radio and TV spots and to take the high road in our own campaigns. The high road is often lonely, it does not have too many traffic jams, but we pledge to take it this year and bring honor to our profession, to our party and to ourselves. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jessica Evans, Kris Hamilton, Bruce Bishop, Riva Ridgway, Erik Cain, Jeff Evitts and Timothy Lauth.

The Journal of the thirty-sixth day was approved as corrected.

RESOLUTIONS

Representative Van Zandt offered House Resolution No. 425, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 426, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Clayton and Daniels (41) offered House Resolution Nos. 427 and 428, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (123) offered House Resolution Nos. 429 and 430, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 431, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 432, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 433, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1594 through **HB 1600** were read the second time.

SECOND READING OF SENATE BILL

SB 858 was read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1001**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1002**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1003**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1004**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1005**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

SUPPLEMENTAL CALENDAR

March 5, 1996

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1001 - Green

HCS HB 1002 - Franklin

HCS HB 1003 - Franklin

HCS HB 1004 - Green

HCS HB 1005 - Green

PERFECTION OF HOUSE BILL

HCS HB 945, relating to environmental audit privilege, was taken up by Representative Smith.

Representative Elliott offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 945, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal section 319.131, RSMo Supp. 1995, relating to environmental protection, and to enact in lieu thereof eight new sections relating to the same subject, with an expiration date for certain sections."; and

Further amend said bill, Page 1, Section 1, Line 1, by inserting immediately before said line the following:

"Section A. Section 319.131, RSMo Supp. 1995, is repealed and eight new sections enacted in lieu thereof, to be known as sections 319.131, 1, 2, 3, 4, 5, 6 and 7, to read as follows:

319.131. 1. Any owner or operator of one or more underground storage tanks containing petroleum products may elect to participate in the underground storage tank insurance fund to partially meet the financial responsibility requirements of sections 319.100 to 319.137. Current or former refinery sites or petroleum pipeline terminals are not eligible for participation in the fund. The existence of any aboveground storage tank or tanks at a site where a person is seeking underground storage tank insurance in accordance with this section shall not in any way adversely affect that person's ability to participate in this program; provided the aboveground

storage tanks are protected by a secondary containment structure designed to contain any spilled or leaking product as specified by rules of the division of weights and measures within the department of agriculture and the applicant provides documentation of a reasonable assurance of the tank line's integrity.

2. The director of the department of natural resources shall establish an advisory committee composed of insurers and owners and operators of underground storage tanks. The committee shall monitor the fund and recommend statutory and administrative changes as may be necessary to assure efficient operation of the fund. Beginning in 1994, the committee, in consultation with the department of natural resources and the department of insurance, shall annually report to the general assembly on the availability and affordability of the private insurance market as a viable method of meeting the financial responsibilities required by state and federal law in lieu of the underground storage tank insurance fund.

3. **Except as provided in this section,** any person seeking to participate in the insurance fund shall submit an application to the director of the department of natural resources[,] **and** shall certify that the tanks meet or exceed and are in compliance with all technical standards established by the United States Environmental Protection Agency and the department of natural resources. The applicant shall submit proof that [he] **the applicant** has a reasonable assurance of the tank's integrity. Proof of tank integrity may include but not be limited to any one of the following: tank tightness test, electronic leak detection, monitoring wells, daily inventory reconciliation, vapor test or any other test that may be approved by the director. The applicant shall submit evidence that [he] **the applicant** can meet the financial responsibility requirements of this section.

4. A creditor, specifically a person who, without participating in management of an underground storage tank and not otherwise primarily engaged in petroleum productions, refining and marketing, holds indicia of ownership primarily for the purpose of, or in connection with, securing payment or performance of a loan or to protect a security interest in, or a lien on, the tank or the property where the tank is located, or serves as trustee or fiduciary upon transfer or receipt of the property may be a successor in interest to a debtor who has qualified specific real property pursuant to this section, provided that the creditor gives notice of the interest to the insurance fund by certified mail, return receipt requested. Part of such notice shall include a copy of the lien, including, but not limited to, a security agreement or a deed of trust as appropriate to the property. The term "successor in interest", for the purposes of this section, means a creditor to the debtor who had qualified specific real property in the insurance fund prior to the transfer of title to the creditor, and the term is limited to access to the insurance fund. The creditor may cure any of the debtor's defaults in payments required by the insurance fund, provided the specific real property originally qualified pursuant to this section. The creditor, or the creditor's subsidiary or affiliate, who forecloses or otherwise obtains legal title to such specific real property held as collateral for loans, guarantees or other credit and which includes the debtor's underground storage tanks shall provide notice of any transfer of creditor to a subsidiary or affiliate to the fund and liability pursuant to sections 319.100 to 319.139 shall be confined to such creditor or such creditor's subsidiary or affiliate. A creditor shall apply for a transfer of coverage and shall present evidence indicating a lien, contractual right or operation of law permitting such transfer and may utilize the creditor's affiliate or subsidiary to hold legal title to the specific real property taken in satisfaction of debts. Creditors may be listed as insured or additional insured on the insurance fund and not merely as mortgagees, and may assign or otherwise transfer the debtor's rights in the insurance fund to the creditor's affiliate or subsidiary, notwithstanding any limitations in the insurance fund on assignments or transfer of the debtor's rights.

5. Any person participating in the insurance pool provided in sections 319.100 to 319.137 shall annually submit an amount established pursuant to subsection 1 of section 319.133 which shall be deposited to the credit of the underground storage tank insurance fund.

[4.] **6.** The owner or operator making a claim pursuant to this section and sections 319.129 and 319.133 shall be liable for the first ten thousand dollars of the cost of cleanup associated with a release from an underground storage tank without reimbursement from the fund. The underground storage tank insurance fund shall assume all costs, except as provided in subsection [5] **7** of this section, which are greater than ten thousand dollars but less than one million dollars per occurrence or two million dollars aggregate per year. The liability of the underground storage tank insurance fund is not the liability of the state of Missouri. The provisions of sections 319.100 to 319.137 shall not be construed to broaden the liability of the state of Missouri beyond the provisions of sections 537.600 to 537.610, RSMo, nor to abolish or waive any defense which might otherwise be available to the state or to any person. The presence of existing contamination at a site where a person is seeking underground storage tank insurance in accordance with this section shall not affect that person's ability to participate in this program, provided the person meets all other requirements of sections 319.100 to 319.139. **Any person who qualifies pursuant to sections 319.100 to 319.139 and who has requested approval of a project for remediation from the fund, which request has not yet been decided upon by the department, shall annually be sent by the department a status report including an estimate of when the project may expect to be funded and other pertinent information regarding the request.**

[5.] **7.** The fund shall provide coverage for third-party claims involving property damage or bodily injury caused by leaking underground storage tanks whose owner or operator is participating in the fund. Coverage for third-party bodily injury shall not exceed one million dollars per occurrence. Coverage for third-party property damage shall not exceed one million dollars per occurrence. The fund shall not compensate an owner or operator for repair of damages to property beyond that required to contain and clean up a release of a regulated substance or compensate an owner or operator or any third party for loss or damage to other property owned or belonging to the owner or operator, or for any loss or damage of an intangible nature,

including, but not limited to, loss or interruption of business, pain and suffering of any person, lost income, mental distress, loss of use of any benefit, or punitive damages. [Money from the fund shall not be expended for cleanup of releases being remediated prior to August 28, 1989.]

[6.] **8.** The fund shall, within limits specified in this section, assume costs of third-party claims and cleanup of contamination caused by releases from underground storage tanks. The attorney general shall, upon request, bring an action against such owner or operator to recover any costs or expenses owed to the fund plus reasonable attorney's fees.

[7.] **9.** Nothing contained in sections 319.100 to 319.137 shall be construed to abrogate or limit any right, remedy, causes of action, or claim by any person sustaining personal injury or property damage as a result of any release from any type of underground storage tank, nor shall anything contained in sections 319.100 to 319.137 be construed to abrogate or limit any liability of any person in any way responsible for any release from an underground storage tank or any damages for personal injury or property damages caused by such a release.

[8.] **10.** The fund shall provide moneys for cleanup of contamination caused by releases from underground storage tanks, the owner or operator of which is participating in the underground storage tank insurance fund or the owner or operator of which has made application for participation in the fund by August 28, 1995, regardless of when such release occurred, provided that those persons who have made application are ultimately accepted into the fund. Applicants shall not be eligible for fund benefits until they are accepted into the fund.

[9.] **11.** The fund shall provide moneys for cleanup of contamination caused by releases from underground storage tanks which have been taken out of use prior to August 28, 1995, provided such sites have been documented by or reported to the department of natural resources prior to August 28, 1995, and provided further that the fund shall make no reimbursements for expenses incurred prior to August 28, 1995.

12. A person who submits a request as provided in this section is not required to bid the costs and expenses associated with the environmental consultant who inspects the project. The department may disapprove all or part of the costs and expenses associated with the environmental consultant if the costs are excessive based upon comparable service costs or current market value of similar services. The person shall request bids for the actual remediation or clean-up work. The department shall, based on submittal of the required bids, select a reasonable cost ceiling for competent, effective and timely completion of the projected work. The person who submits the bid shall be informed of the cost ceiling and shall be responsible for costs incurred that exceed such cost ceiling.".

On motion of Representative Elliott, House Amendment No. 1 was adopted.

Representative Gunn offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 945, Page 3, Section 4, Lines 15 through 19, by deleting all of said lines; and

Further amend said bill, Page 3, Section 4, Line 20, by deleting the number "**4.**" and inserting in lieu thereof the number "**3.**"; and

Further amend said bill, Page 3, Section 4, Line 30, by deleting the number "**5.**" and inserting in lieu thereof the number "**4.**"; and

Further amend said bill, Page 4, Section 4, Line 38, by deleting the number "**6.**" and inserting in lieu thereof the number "**5.**" and by deleting the number "**4**" after the word "**subsection**" and inserting in lieu thereof the number "**3**"; and

Further amend said bill, Page 4, Section 4, Line 42, by deleting the number "**7.**" and inserting in lieu thereof the number "**6.**"; and

Further amend said bill, Page 4, Section 4, Line 43, by deleting the number "**5**" after the word "**subdivision**" and inserting in lieu thereof the number "**4**"; and

Further amend said bill, Page 4, Section 4, Line 46, by deleting the number "**8.**" and inserting in lieu thereof the number "**7.**"; and

Further amend said bill, Page 4, Section 4, Line 51, by deleting the number "**9.**" and inserting in lieu thereof the number "**8.**"; and

Further amend said bill, Page 4, Section 4, Line 54, by deleting the number "**10.**" and inserting in lieu thereof the number "**9.**".

Representative Lograsso offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

for
House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 945, Page 2, Section 2, Line 2, by adding immediately after the word "civil" the following: "action initiated by a governmental entity or a"; and further amend said bill, page 3, Section 4, line 15 by deleting the word "person" and inserting in lieu thereof the words "governmental entity" and on line 18 by deleting the word "person" and inserting in lieu thereof the words "governmental entity"; and further amend said bill, page 4, Section 5, line 3 by adding immediately after the word "criminal" the following: "payable to a governmental entity."

Representative Smith raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 2 is not a true substitute.

The Chair ruled the point of order not well taken.

Representative Lograsso moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 070

Auer	Backer	Bland	Bonner	Bray
Canuteson	Carter	Clayton	Copeland	Crum
112				
Crump 152	Daniels 41	Davis	Days	
Donovan				
Dougherty	Farmer	Farnen	Fitzwater	Foley
Ford	Goward	Gratz	Green	Gunn
Harlan	Heckemeyer	Hoppe	Hosmer	Jacob
Kelly 27	Kissell	Klumb	Lakin	Leake
Liese	Lograsso	Luetkenhaus	Lumpe	
Marshall 26				
May 108	Mays 50	McBride	McLuckie	Morgan
Murray 69	O'Connor	O'Toole	Prost	
Reynolds				
Ridgeway	Rizzo	Schilling	Sears 1	
Sheldon 104				
Shelton 57	Skaggs	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Ward
Wiggins	Williams 121	Williams 159	Witt	Mr.
Speaker				

NOES: 085

Akin	Alter	Ballard	Barnett 4	
Bartelsmeyer				
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Daniel 42	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Foster	Franklin	Froelker	
Garnett				
Gaskill	Gibbons	Graham	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Hartzler 123	
Hartzler 124				
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Koller	
Kreider				
Legan	Levin	Linton	Loudon	Marble
Marshall 133	McClelland	Mitchell	Montgomery	Murphy
Murray 135	Naeger	Nordwald	O'Neill	
Oetting				
Ostmann	Overschmidt	Pauley	Pouche	Pryor
Richardson	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Shields	Smith
Sombart	Steen	Summers	Surface	
Thompson 37				
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 005

Boucher	Hickey	Long	Ribaudo	Shear
83				

VACANCY: 003

House Amendment No. 2 was withdrawn.

Representative Dougherty offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 945, Page 1, Section 1, Line 2, by deleting the word and symbols "**Commission",**" and inserting in lieu thereof the following: "**Department", the department of natural resources, its director, or any division, program, board, or**" ; and

Further amend said bill, Page 1, Section 1, Line 11, by deleting the symbol and words "**: Privileged Document**" ; and

Further amend said bill, Page 2, Section 1, Line 26, by inserting immediately after the word "**audit**", the following: "

(4) "Punitive penalty", that portion of a penalty which exceeds the economic benefit or value gained by the owner or operator of a facility by violating environmental laws" ; and

Further amend said bill, Page 2, Section 2, by deleting all of said section and inserting in lieu thereof the following:

"**Section 2. 1. To participate in the environmental audit improvement program, an owner or operator of a facility must conduct an environmental audit.**

2. To qualify for participation in the environmental audit improvement program, an owner or operator of a facility must submit an application to the department within sixty days after the completion of an environmental audit report. The application must contain the following:

(1) Written notice by the owner or operator of the facility that the facility has conducted an environmental audit;

(2) A dated environmental audit report including disclosure of all violations of environmental laws identified in the environmental audit;

(3) A commitment signed by the owner or operator of the facility to correct the violations of environmental laws as expeditiously as is reasonably practicable; and

(4) A compliance plan, and if more than ninety days will be required to correct the violations of environmental laws, a compliance schedule that identified the time that will be needed to correct the violations and a brief statement of the reasons that support the time periods set out in the compliance schedule.

3. The department shall review and may approve any compliance schedule. The compliance plan shall provide for correction of violations within ninety days following the date the application is received by the department, except that additional reasonable and necessary extensions of time may be granted at the department's discretion. In reviewing the reasonableness of a compliance schedule, the director may take into account information supplied by the regulated facility, any public comments, and information developed by department staff. The decision to approve or disapprove a compliance schedule shall be based on the following factors:

(1) The nature of the violations;

(2) The environmental and public health consequences of the violations;

(3) The economic circumstances of the facility;

(4) The availability of personnel, equipment, and material; and

(5) The time needed to implement pollution prevention opportunities as an alternative to pollution control approaches to remedying the violations." ; and

Further amend said bill, Pages 2 and 3, Section 3, Lines 1 to 24, by deleting all of said lines and inserting in lieu thereof the following:

"**Section 3. 1. The department shall defer for at least ninety days any civil or criminal enforcement action for voluntarily disclosed violations of environmental laws against the owner or operator of a facility if an application that meets the requirements of section 2 of this act has been submitted to the department. If a compliance schedule was submitted and approved, the department shall defer civil or criminal enforcement actions for voluntarily disclosed violations of environmental laws for the term of the approved compliance schedule unless the facility fails to meet an interim performance date contained in the schedule. Provisions of sections 516.380 and 556.036, RSMo, to the contrary notwithstanding, in determining the period of limitation within which prosecution of an offense shall be commenced, time shall start to run on the earliest day on which such action may be filed pursuant to this section.**

2. If an owner or operator of a facility has corrected all violations pursuant to a compliance plan within ninety days or by the date specified in the approved compliance schedule, whichever is later, the department shall not impose or seek to impose punitive penalties in a civil case or monetary punitive penalties in a criminal case involving ordinary negligence against the owner or operator of a facility for the voluntarily disclosed violations of environmental laws in the environmental audit report.

3. Nothing in sections 1 to 7 of this act shall preclude the state from taking any enforcement action for violations of environmental laws which were known by the state prior to the time the owner or operator of a facility submitted an application meeting the requirements of section 2 of this act to the department." ; and

Further amend said bill, Page 3, Section 3, Line 25, by deleting the words "**3. Nothing in this section**" and inserting in lieu thereof the words "**4. Nothing in sections 1 to 7 of this act**" ; and

Further amend said bill, Page 3, Section 3, Lines 28 and 29, by deleting all of said lines; and

Further amend said bill, Pages 3 and 4, Section 4, by deleting all of said section and inserting in lieu thereof the following:

"**Section 4. Nothing in sections 1 to 7 of this act shall be construed to prevent the state from bringing:**

(1) A criminal enforcement action against any entity who commits a violation other than a negligent violation;

(2) A civil enforcement action, if the owner or operator of a facility:

(a) Failed to correct all violations in ninety days or within the time specified in an approved compliance schedule, whichever is later;

(b) Is found to have violated the same environmental law within a three-year period prior to submission of the application provided for in section 2 of this act; or

(c) Caused serious harm to public health or the environment; or

(3) An action against the owner or operator of a facility to enjoin an immediate threat to the public health or the environment." ; and

Further amend said bill, Pages 4 and 5, Section 5, by deleting all of said section and inserting in lieu thereof the following:

"**Section 5. 1. If the department finds that the owner or operator of a facility acted in good faith, the department shall give consideration to the fact that the owner or operator of a facility applied to and participated in the environmental audit improvement program in deciding whether to pursue a civil enforcement action, or what, if any, penalty should be imposed. In assessing the amount of any nonpunitive penalty, the department may give credit to the owner or operator after considering at least the following factors:**

(1) Whether the cost of corrective actions to achieve compliance exceeds the economic benefit of noncompliance; and

(2) The financial savings obtained by not having complied with the applicable environmental law over the time period of noncompliance.

2. In determining whether the owner or operator of a facility acted in good faith, the department may consider whether:

(1) When violations of environmental laws were discovered, the owner or operator of the facility took corrective action which was timely under the circumstances;

(2) The owner or operator of the facility exercised reasonable care in attempting to ensure compliance with respect to where violations of environmental laws occurred;

(3) The violations of environmental laws resulted in a significant economic benefit to the owner or operator of the facility;

(4) Prior to conducting the environmental audit, the facility had a history of good faith efforts to comply with environmental laws; and

(5) The owner or operator of a facility demonstrated good faith efforts to achieve compliance with environmental laws since conducting an environmental audit." ; and

Further amend said bill, Page 5, Section 7, Lines 2 to 6, by deleting all of said lines and inserting in lieu thereof the following: "**2002.**"

Representative Smith raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Dougherty moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 042

Auer	Backer	Bland	Bonner	Boucher
Bray	Carter	Daniel 42	Davis	Days
Donovan	Dougherty	Farmer	Farnen	Foley
Franklin	Gunn	Harlan	Hickey	Hosmer
Jacob	Kelly 27	Klumb	Liese	Luetkenhaus
Lumpe	May 108	McLuckie	Morgan	Murray 69
O'Connor	O'Toole	Reynolds	Schilling	Stokan
Stoll	Tate	Treadway	Troupe	Van Zandt
Wiggins	Witt			

NOES: 112

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Canuteson	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Fitzwater	Ford	Foster	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Linton	Lograsso	Loudon	Marble	Marshall 26
Marshall 133	Mays 50	McBride	McClelland	Mitchell
Murphy	Murray 135	Naeger	Nordwald	O'Neill

Oetting

Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Summers
Surface	Thomason 163	Thompson 37	Vogel	Wannenmacher
Whiteside	Wieland	Williams 121	Williams 159	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Goward	Long	Montgomery	Ribaudo	Shear 83

Ward

VACANCY: 003

Representative O'Connor offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 945, Page 5, Section 7, Line 6 by inserting a new section 8 at the end of said bill:

Section 8. Nothing in the provisions of sections 1 to 7 of this act shall be interpreted to affect the right of employees to be notified when they are working in an area containing hazardous materials as required by federal law.

On motion of Representative O'Connor, House Amendment No. 3 was adopted.

HCS HB 945, as amended, was laid over.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 801**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 801, Page 2, Section 67.641, Line 23, by deleting all of said line and inserting in lieu thereof the following: "**moneys have been initially appropriated by July 1, 1997.**".

Committee on Science, Technology and Critical Issues, Chairman Smith reporting:

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **HB 829 and HB 1254**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Thirty-seventh Day-Tuesday, March 5, 1996

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 21 - Agriculture

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1601, introduced by Representative Backer, relating to the conveyance of certain property in Callaway County to the city of Fulton.

HB 1602, introduced by Representative Edwards - Pavia, relating to medical treatment facilities.

HB 1603, introduced by Representative Kreider, relating to real property taxation.

HB 1604, introduced by Representatives Burton, Elliott and Surface, relating to the authorization of the governor to convey state property used as an armory by the Missouri National Guard located in Webb City.

HB 1605, introduced by Representative Murphy, relating to limitations of workers' compensation awards.

HB 1606, introduced by Representative Murphy, relating to certain merchandising practices.

HB 1607, introduced by Representative Kreider, et al, relating to the department of highways and transportation.

HB 1608, introduced by Representative Ridgeway, relating to unemployment benefits for professional athletic event staff.

LETTER OF OBJECTION

March 5, 1996

Mr. Douglas Burnett

Chief Clerk of the House

Room 306-C, State Capitol Building

Jefferson City, MO 65101

Dear Mr. Burnett:

In accordance with House Rule 48, the undersigned hereby file a written objection and respectfully request that **HB 918** be stricken from the House Consent Calendar and be returned to Education-Higher.

We feel this bill is of a controversial matter.

Respectfully submitted,

/s/ Delbert L. Scott

/s/ Don Steen

/s/ Bubs Hohulin

/s/ Bob Ward

/s/ Don Koller

Thirty-seventh Day-Tuesday, March 5, 1996

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 918 - Rules, Joint Rules and Bills Perfected and Printed

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 23**, entitled:

SENATE CONCURRENT RESOLUTION NO. 23

WHEREAS, the Board of Curators of the University of Missouri desires to convey priority constituting a part of University Park in Kansas City, Jackson County to the Ewing Marion Kauffman Foundation; and

WHEREAS, Section 172.020, RSMo, provider that the conveyance of any land contained within a university campus must be approved by the general assembly by passage of a Concurrent Resolution signed by the governor; and

WHEREAS, the property to be conveyed is more particularly described as follows:

(1) All land to the west of Rockhill Road, approximately 3.5 acres;

(2) Approximately 24 acres on the west end of the land to the east of Rockhill Road;

(3) The University will retain ownership of approximately 10 contiguous acres to the immediate west of Troost Avenue; and

WHEREAS, the property will be used by the Kauffman Foundation, including the Conservation Commission and the Powell Gardens, as described in their proposal to the Board of Curators on February 22, 1996; and

WHEREAS, the Kauffman Foundation will pay the University of Missouri $12,000,000 at the time of conveyance of the properties; and

WHEREAS, the University will provide access from Troost Avenue into the east edge of the property conveyed to the Kauffman Foundation. The University will use its approximately 10 acres for purposes generally compatible with the development by the Kauffman Foundation. Specific University uses may include academic and/or University research facilities, athletic facilities, and student housing; and

WHEREAS, the proceeds from this transaction, to include the funds paid by the Kauffman Foundation and the land returned to the UMKC campus, will be valued and distributed by the University per the agreement with the University of Kansas City Trustees. From the proceeds from the Kauffman foundation, $2.2 million will be used for two endowed chairs for the UMKC campus, with the specific disciplines to be determined by the Kauffman Foundation and the UMKC Chancellor. An additional $2 million from proceeds will be dedicated to funding a new multipurpose auditorium on the UMKC campus; the auditorium will be named by the Kauffman Foundation:

NOW, THEREFORE, BE IT RESOLVED that the Senate of the Second Regular Session of the 88th General Assembly, the House of Representatives concurring therein approve and authorize the conveyance of the aforesaid real property by the Curators of the University of Missouri to the Ewing Marion Kauffman Foundation; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to submit this resolution upon passage by both Houses of the General Assembly, to the governor for approval pursuant to section 172.020, RSMo, and that upon said approval to send a copy thereof to the Curators of the University of Missouri.

In which the concurrence of the House is respectfully requested.

On motion of Representative Backer, the House recessed until 4:00 p.m. for a technical session.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Daniels.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1006**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1007**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1008**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1009**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

The following members presence was noted: Long.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, March 6, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Fifth Day, Thursday, February 29, 1996, page 20 by inserting after line 21 the following:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1315**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Correct House Journal, Thirty-Sixth Day, Monday, March 4, 1996, page 2, line 38, by deleting "HB 1596" and inserting in lieu thereof "HB 1586".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 6, 1996, 1:00 pm. Hearing Rooms 3 & 4. Executive Session

May Follow. Revised Notice

To be considered - HB 1572, SB 521, SCR 21

CIVIL AND CRIMINAL LAW

Wednesday, March 6, 1996, 1:00 pm. Hearing Room 8

To be considered - HB 1415, HB 1050, HB 1086, HB 1574, HB 1575, HB 1193,

HB 923, HB 1332

COMMERCE

Wednesday, March 6, 1996, 1:00 pm. Hearing Room 5. Executive Session to Follow.

To be considered - HB 858, HB 865

ENERGY AND ENVIRONMENT

Thursday, March 7, 1996, 9:00 am. Hearing Room 8. Executive Session

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 6, 1996, 8:00 am. Hearing Room 8. Amended Notice

To be considered - HB 1520, HJR 43, HB 1559, HB 1333, HB 1433

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, March 6, 1996, 1:30 pm. Hearing Room 2. Executive Session. Amended Notice.

To be considered - HB 1504, HB 1564

MUNICIPAL CORPORATIONS

Wednesday, March 6, 1996. Hearing Room 7 upon morning adjournment.

Executive Session Will Follow.

To be considered - HR 226, SB 735

PROFESSIONAL REGISTRATION & LICENSING

Thursday, March 7, 1996, 9:00 am. Room 401.

To be considered - Executive Session - HB 1143, Executive Session - HB 914,

Executive Session - HB 990

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Wednesday, March 6, 1996. Side gallery upon morning adjournment.

Executive Session Will Follow.

To be considered - HB 806, HB 1282

Thirty-seventh Day-Tuesday, March 5, 1996

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Wednesday, March 6, 1996. Side gallery upon noon adjournment.

To be considered - Executive Session - HB 1578

TOURISM, RECREATION AND CULTURAL AFFAIRS

Wednesday, March 6, 1996, 1:30 pm. Hearing Room 1. Executive Session

To be considered - HB 1588

TRAVEL COMMITTEE

Wednesday, March 6, 1996, 9:00 am. Hearing Room 5

HOUSE CALENDAR

THIRTY-EIGHTH DAY, WEDNESDAY, MARCH 6, 1996

HOUSE BILLS FOR SECOND READING

HB 1601 through HB 1608

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 1001 - Green

HCS HB 1002 - Franklin

HCS HB 1003 - Franklin

HCS HB 1004 - Green

HCS HB 1005 - Green

HCS HB 1006 - Tate

HCS HB 1007 - Tate

HCS HB 1008 - Franklin

HCS HB 1009 - Troupe

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HCS HB 945, as amended - Smith
4 HB 782, HCA 1 - Stokan
5 HCS HB 980 - Farnen
6 HCS HB 1169 & 1271, Williams (121) - Hosmer
7 HCS HB 1099 - Williams (159)
8 HB 1243, HCA 1 - Farmer
9 HCS HB 1207, 1288, 1408 & 1409 - Tate
10 HB 985 - Franklin
11 HB 1368 - May (108)
12 HCS HB 1363 - Mays (50)
13 HB 1113 - Stoll

14 HB 811 - Smith
15 HB 962 - Lumpe
16 HB 1361, HCA 1, Gibbons - Treadway
17 HCS HB 1372 - Mays (50)
18 HCS HB 1174 & 1309 - May (108)
19 HCS HB 1159, 842 & 799 - Jacob
20 HB 908, HCA 1 Thomason (163) - Ross
21 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
22 HB 852, HCA 1 - Canuteson
23 HCS HB 999 - Treadway
24 HCS HB 1186 - Hoppe
25 HCS HB 1237 - Rizzo
26 HB 1241 - Witt
27 HCS HB 1185 - McClelland
28 HB 839 - Luetkenhaus
29 HB 1411 - Loudon
30 HCS HB 1149, 1150 & 1240 - Jacob
31 HCS HB 894 - Bray
32 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
33 HB 1380 - Lumpe

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 4, 1996)

1 HB 1295 - Gunn
2 HB 1101 - Franklin
3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans
6 HB 1168 - Crum (112)
7 HB 956 - VanZandt
8 HB 1117 - Green
9 HB 1523 - Linton
10 HB 1055 - Overschmidt
11 HB 1537 - Treadway
12 HB 1359 - Green
13 HB 1566 - Richardson
14 HB 1428 - Leake
15 HB 1473 - Shear (83)
16 HB 1110 - Treadway
17 HB 1076 - Childers
18 HB 1166 - McClelland
19 HB 1420 - Sears (1)
20 HB 1305 - Gratz
21 HB 1440 - Backer
22 HB 1315 - Schwab
23 HB 1477 - Farnen
24 HB 1131 - Kreider
25 HB 1369 - Thomason (163)
26 HB 1431 - Shields
27 HB 1304 - Hosmer

(March 6, 1996)

28 HB 1533 - Ostmann

HOUSE BILLS FOR THIRD READING

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 992 - Harlan

HOUSE BILLS FOR THIRD READING - CONSENT

1. HB 986 - Luetkenhaus
2. HB 1244 - Farmer - Cooper
3. HB 1097 - Hosmer
4. HB 1541, Hagan-Harrell - Franklin
5. HB 1217 - Shear
6. HB 1379 - Gross - Lumpe
7. HB 1404 - O'Toole
8. HB 1469 - Skaggs
9. HB 979 - Crump
10. HB 823 - Barnett
11. HB 937 - Marshall (26)
12. HB 1400 - Lumpe
13. HB 1081 - Carter
14. HB 1123 - Mays (50)
15. HB 766, E.C. - Clayton
16. HB 1248 - Scheve
17. HB 1460 - Wiggins - Nordwald
18. HB 809 - Shields - Tate
19. HB 1300 - Hartzler (123)
20. HB 1346, E.C. - Van Zandt
21. HB 1297 - Lakin
22. HB 1355 - O'Toole
23. HB 1221 - Farnen
24. HB 1093 - Foley
25. HB 929 - Auer
26. HB 1119 - Lakin
27. HB 1432 - Leake - Liese
28. HB 791 - Ross - Lograsso
29. HB 1441 - Ross - Lakin
30. HB 941 - Smith
31. HB 773 - Backer

SENATE BILL FOR THIRD READING

SCS SB 540, E.C. - Marshall (133)

HOUSE RESOLUTION

HR 199 - Gratz & Vogel

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House Journal

Second Regular Session, 88th General Assembly

THIRTY-EIGHTH DAY, Wednesday, March 6, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

In a world riddled with warring factions and terrorists attacks, in a world where the hungry and homeless are increasing in number daily, in a world where peace seems to be an unreachable goal, help us, O God of Justice and Compassion, see our part in making this world a better place. In this House - only one of many legislative bodies around this country - issues are debated and negotiated, bills are approved and rejected, laws become reality or more paperwork to file. Help those who struggle here make their decisions in the context of what is good for the people, not the party, of what is right for the people, not the politician. Guide them as they use values and judgments based on knowledge and wisdom, not hearsay.

Most of all, Gracious Lord, reassure each of them of your presence and undergird them with your love as they do the jobs they have been elected to do. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lakeisha Carter, Philip Strangman, Travis Miller, Elizabeth Scott, Emily Bira, Claire Bira, Ben Bira, Nick Bira, Daniel Dziesinski, Jordan Dziesinski and Clayton Prater.

The Journal of the thirty-seventh day was approved as corrected.

RESOLUTIONS

Representative Oetting offered House Resolution No. 434, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ostmann offered House Resolution No. 435, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 436, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No. 437, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ross and Lograsso offered House Resolution No. 438, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Whiteside offered House Resolution Nos. 439 through 450, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Wooten offered House Concurrent Resolution No. 8.

SECOND READING OF HOUSE BILLS

HB 1601 through **HB 1608** were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1010**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1011**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1012**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed , to which was referred **HB 1379, HB 986, HB 1244, HB 1097, HB 1541, HB 1217, HB 1404, HB 1469, HB 979, HB 823, HB 937, HB 1400, HB 1081, HB 1123, HB 766, HB 1248, HB 1460, HB 809, HB 1300, HB 1346, HB 1297, HB 1355, HB 1221, HB 1093, HB 929, HB 1119, HB 1432, HB 791, HB 1441, HB 941 and HB 773**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

SENATE CONCURRENT RESOLUTION

SCR 23, relating to Land Conveyance, was taken up by Representative Morgan.

On motion of Representative Morgan, Rule 63 was suspended and **SCR 23** was adopted.

HOUSE RESOLUTION

HR 199, relating to use of chamber, was taken up by Representative Gratz.

On motion of Representative Gratz, **HR 199** was adopted.

Speaker Gaw assumed the Chair.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1001, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1001** was adopted.

On motion of Representative Green, **HCS HB 1001** was ordered perfected and printed.

HCS HB 1002, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1002, Section 2.020, by deleting the language "Forty-Six Million, Thirty-Seven Thousand, Five Hundred Twenty-Eight Dollars ($46,037,528)" and inserting in lieu thereof the following; "Forty-Six Million, Seventy-Seven Thousand, Five Hundred Twenty-Eight Dollars ($46,077,528)" and further amend said section by deleting the figure "83,962,870" and inserting in lieu thereof the figure "84,002,870"; and further amend said section by deleting the figure "1,882,208,721" and inserting in lieu thereof the figure "1,882,248,721"; and further amend said bill, in the bill totals, by deleting the figure "2,160,761,277" and inserting in lieu thereof the figure "2,160,801,277"; and further amend said bill totals by deleting the figure "3,388,159,197" and inserting in lieu thereof the figure "3,388,199,197".

On motion of Representative Franklin, House Amendment No. 1 was adopted.

Representative Franklin offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1002, Page 1, by deleting in its entirety the enacting clause and inserting in lieu thereof the following :

"To appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and

of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money from the General Revenue Fund to the State School Moneys Fund, and to transfer money from the General Revenue Fund to the Video Instructional Development and Educational Opportunity Fund, and to transfer money from the General Revenue Fund to the Outstanding Schools Trust Fund, and to transfer money from the Gaming Proceeds for Education Fund to the State School Moneys Fund and to transfer money from the Gaming Proceeds for Education Fund to the School District Bond Fund and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 1996 and ending June 30, 1997."

On motion of Representative Franklin, House Amendment No. 2 was adopted.

Representative Edwards-Pavia offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1002, Page 7, Section 2.135, Line 4, by deleting the figure "3,558,844" and inserting in lieu thereof the figure "2,058,844"; and further amend said section by deleting the figure "4,285,357" and inserting in lieu thereof the figure "2,785,357".

Representative Edwards-Pavia moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 063

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Edwards-Pavia	Elliott
Enz	Evans	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Griesheimer	Hall
Hand	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Keeven	Kelley 47	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	Mitchell	Murphy	Naeger	Nordwald
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Sombart	Steen	Summers	Surface	Troupe
Vogel	Wannenmacher	Wieland		

NOES: 091

Auer	Backer	Bland	Bonner	Boucher
Bray	Canuteson	Carter	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Goward	Gratz	Green	Gross	Gunn
Hagan-Harrell	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kauffman
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Montgomery	Morgan	Murray 69	Murray 135
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Prost	Reynolds	Rizzo	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Treadway	Van Zandt	Ward	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Daniel 42	O'Connor	O'Neill	Ribaudo

Thompson 37

VACANCY: 003

Representative Shields offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1002, Page 2, Section 2.015, Line 4, by deleting the figure "262,000,000" and inserting in lieu thereof the figure "151,700,000".

Representative Shields moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 067

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Champion
Childers	Chrismer	Edwards-Pavia	Elliott	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham	Hall	Hand	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Keeven
Kelley 47	Kissell	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 133	Mitchell	Murphy	Naeger
Nordwald	O'Toole	Oetting	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Sombart
Steen	Summers	Surface	Treadway	Vogel
Wannenmacher	Wieland			

NOES: 086

Auer	Backer	Bland	Bonner	Boucher
Bray	Burton	Canuteson	Carter	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Franklin	Garnett	Goward	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Harlan
Hartzler 123	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kauffman	Kelly 27	Klumb	Koller
Kreider	Lakin	Leake	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Morgan	Murray 69	Murray 135	Ostmann	Overschmidt
Pauley	Prost	Reynolds	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Thompson 37	Troupe	Van Zandt	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten
Mr. Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Montgomery	O'Connor	O'Neill
Ribaudo	Ward			

VACANCY: 003

Representative Kelley (47) offered House Amendment No. 5.

Representative Franklin raised a point of order that House Amendment No. 5 is amending previously amended material.

The Chair ruled the point of order not well taken.

Representative Franklin raised a point of order that House Amendment No. 5 is legislated through the process of appropriations.

The Chair ruled the point of order well taken.

On motion of Representative Franklin, **HCS HB 1002, as amended,** was adopted.

On motion of Representative Franklin, **HCS HB 1002, as amended,** was ordered perfected and printed.

HCS HB 1003, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1003, Section 3.090, by deleting the figure "92,612,459" and inserting in lieu thereof the figure "92,572,459"; and further amend said section by deleting the figure "100,099,830" and inserting in lieu thereof the figure "100,059,830"; and further amend said bill, in the bill totals, by deleting the figure "718,272,682" and inserting in lieu thereof the figure "718,232,682"; and further amend said bill totals by deleting the figure "821,965,769" and inserting in lieu thereof the figure "821,925,769".

On motion of Representative Franklin, House Amendment No. 1 was adopted.

Representative Linton offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1003, Page 4, Section 3.085, by deleting all of said section.

Representative Linton moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Franklin, **HCS HB 1003, as amended,** was adopted.

On motion of Representative Franklin, **HCS HB 1003, as amended,** was ordered perfected and printed by the following vote:

AYES: 147

Alter	Auer	Backer	Barnett 4	Bartelsmeyer
Bennett 15	Bland	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 006

Akin	Ballard	Hall	Hohulin	Linton
Loudon				

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Koller	O'Connor	O'Neill
Ribaudo	Ward			

VACANCY: 003

HCS HB 1004, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1004** was adopted.

On motion of Representative Green, **HCS HB 1004** was ordered perfected and printed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Gross	O'Connor	O'Neill
Ribaudo	Ward			

VACANCY: 003

HCS HB 1005, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1005** was adopted.

On motion of Representative Green, **HCS HB 1005** was ordered perfected and printed by the following vote:

AYES: 129

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels

41				
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Garnett
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Lakin	Legan	Levin
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Reynolds
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Sombart	Stokan	Stoll	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 021

Akin	Enz	Foster	Froelker	Gaskill
Hall	Hegeman	Hohulin	Howerton	Liese
Linton	Lograsso	Loudon	Marshall 133	Pryor
Richardson	Ridgeway	Smith	Steen	Summers

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Cierpiot	Daniel 42	Kreider	Leake
Murphy	O'Connor	O'Neill	Ribaudo	Ward

VACANCY: 003

The following member's presence was noted: O'Connor.

On motion of Representative Backer, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

RESOLUTIONS

Representative Witt offered House Resolution Nos. 451 through 455, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 456, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 457, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lumpe offered House Resolution No. 458, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 459, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTIONS

Representative Lumpe offered House Concurrent Resolution No. 9.

Representative Rizzo offered House Concurrent Resolution No. 10.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 806**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the Committee of origin to place said bill on the House Consent Calendar for Third Reading and Final Passage**.**

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 806**, begs leave to report that it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - CONSENT

HB 986, relating to school bus operator's permits, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HB 986** was read the third time and passed by the following vote:

Thirty-eighth Day-Wednesday, March 6, 1996

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 009

Gratz	Hohulin	Lograsso	Marshall 133	Morgan
Murphy	Murray 69	Steen	Whiteside	

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Daniel 42	Goward	Kelly 27	O'Neill
Ribaudo	Thompson 37	Ward		

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

HB 1244, relating to Missouri Arts Council, was taken up by Representative Farmer.

On motion of Representative Farmer, **HB 1244** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 007

Chrismer	Hohulin	Kelley 47	Legan	Lograsso
Murphy	Wannenmacher			

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo

Ward

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Davis moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HB 1097, relating to first responder programs, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1097** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers

Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Daniel 42	Goward	Kasten	O'Neill
Ribaudo	Thompson 37	Ward		

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HB 1541, relating to state employee retirement, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **HB 1541** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray

135				
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Froelker	Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Ward				

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Montgomery moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

HB 1217, relating to insurance coverage, was taken up by Representative Shear (83).

On motion of Representative Shear (83), **HB 1217** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Daniel 42	Goward	Gunn	O'Neill
Ribaudo	Thompson 37	Ward		

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Hickey moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

HB 1379, relating to social security numbers, was taken up by Representative Gross.

On motion of Representative Gross, **HB 1379** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 004

Bland	Murphy	Thompson 37	Treadway

PRESENT: 000

ABSENT WITH LEAVE: 006

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Ward				

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

HB 1404, relating to St. Louis firemen's retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 1404** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 004

Froelker	Hohulin	Murray 135	Robirds

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Daniel 42	Goward	Murphy	O'Neill
Ribaudo	Thompson 37	Ward		

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Sears (1) moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HB 1469, relating to property taxes, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HB 1469** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Evans

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Thompson 37	Ward			

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

HB 979, relating to property covenants and easements, was taken up by Representative Crump (152).

On motion of Representative Crump (152), **HB 979** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton

Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Hendrickson

PRESENT: 000

ABSENT WITH LEAVE: 009

Champion	Cierpiot	Daniel 42	Foley	Goward
O'Neill	Ribaudo	Thompson 37	Ward	

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Witt, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

HB 823, relating to conveyance of property, was taken up by Representative Barnett (4).

On motion of Representative Barnett (4), **HB 823** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason

163				
Treadway	Troupe	Van Zandt	Vogel	
Wannenmacher				
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Thompson 37	Ward			

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Shear (83), title to the bill was agreed to.

Representative Troupe moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HB 937, relating to outdoor advertising, was taken up by Representative Marshall (26).

On motion of Representative Marshall (26), **HB 937** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 005

Hendrickson	Hohulin	Murray 135	Schilling	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo

Thompson 37	Ward			

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Lumpe, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 1400, relating to state employee health care, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **HB 1400** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Daniel 42	Goward	Luetkenhaus	O'Neill
Ribaudo	Thompson 37	Ward		

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Kreider, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1081, relating to mental health earnings fund, was taken up byed
Representative Carter.

On motion of Representative Carter, **HB 1081** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Thompson 37	Ward			

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Garnett, title to the bill was agreed to.

Representative Copeland moved that the vote by which the bill passed be reconsidered.

Representative Prost moved that motion lay on the table.

The latter motion prevailed.

HB 1123, relating to economic impact on small businesses, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **HB 1123** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley

Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot	Daniel 42	Goward	Linton	Lumpe
O'Neill	Pryor	Ribaudo	Thompson 37	Ward

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Hagan-Harrell, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

HB 766, relating to fire protection districts, was taken up by Representative Clayton.

On motion of Representative Clayton, **HB 766** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland

McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Thompson 37	Ward			

VACANCY: 003

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Akin	Alter	Auer	Backer	Ballard
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Childers	Chrismer	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Elliott
Enz	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Heckemeyer
Hegeman	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 009

Edwards-Pavia	Evans	Hartzler 124	Hendrickson	Hohulin
Lograsso	Pryor	Steen	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 009

Barnett 4	Champion	Cierpiot	Daniel 42	Goward
O'Neill	Ribaudo	Thompson 37	Ward	

VACANCY: 003

On motion of Representative Koller, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Daniels resumed the Chair.

HB 1248, relating to historic site, was taken up by Representative Scheve.

On motion of Representative Scheve, **HB 1248** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 004

Boatright	Hohulin	Loudon	Steen

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Daniel 42	Goward	Hagan-Harrell	O'Neill
Ribaudo	Thompson 37	Ward		

VACANCY: 003

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HB 1460, relating to emergency telephone services, was taken up by Representative Wiggins.

On motion of Representative Wiggins, **HB 1460** was read the third time and passed by the following vote:

AYES: 147

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 005

Akin	Hegeman	Hohulin	Lograsso	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 008

Cierpiot	Daniel 42	Davis	Goward	O'Neill
Ribaudo	Thompson 37	Ward		

VACANCY: 003

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Crum (112) moved that the vote by which the bill passed be reconsidered.

Representative Farmer moved that motion lay on the table.

The latter motion prevailed.

HB 809, relating to emergency personnel, was taken up by Representative Shields.

On motion of Representative Shields, **HB 809** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Days	Donovan	Dougherty

Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Griesheimer	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Daniel 42	Davis	Goward	Green
Gross	O'Neill	Ribaudo	Thompson 37	Ward

Witt

VACANCY: 003

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

HB 1300, relating to sewer districts, was taken up by Representative Hartzler (123).

On motion of Representative Hartzler (123), **HB 1300** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery

Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot	Clayton	Daniel 42	Davis	Goward
Long	O'Neill	Ribaudo	Thompson 37	Ward

VACANCY: 003

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

HB 1346, relating to Kansas Missouri Culture Compact, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **HB 1346** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Days	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Daniel 42	Davis	Dougherty	Goward
Hohulin	Levin	O'Neill	Ribaudo	Thompson 37
Ward				

VACANCY: 003

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 121

Auer 15	Backer	Barnett 4	Bartelsmeyer	Bennett
Bland	Bonner	Boucher	Bray	Brown
Burton	Canuteson	Carter	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Enz	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Liese	Linton
Long	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Reynolds	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten
Mr. Speaker				

NOES: 032

Akin	Alter	Ballard	Boatright	Broach
Champion	Edwards-Pavia	Elliott	Evans	Foster
Froelker	Hall	Hartzler 124	Hendrickson	Hohulin
Howerton	Keeven	Levin	Lograsso	Loudon
Marble	Murphy	Pryor	Richardson	Ridgeway
Scott	Steen	Summers	Surface	Vogel
Wannenmacher	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Thompson 37	Ward			

VACANCY: 003

On motion of Representative Schilling, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

HB 1297, relating to public administrators, was taken up by Representative Lakin.

Representative Lakin moved that **HB 1297** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 080

Auer	Backer	Bland	Bonner	Boucher
Bray	Canuteson	Carter	Clayton	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Garnett	Gratz
Green	Gunn	Hagan-Harrell	Harlan	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Liese	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McBride	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	O'Connor	O'Toole
Overschmidt	Pauley	Prost	Reynolds	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 073

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cooper	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham	Griesheimer
Gross	Hall	Hand	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	McClelland	Murphy	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Sombart
Steen	Summers	Surface	Vogel	Wannenmacher
Whiteside	Wieland	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	O'Neill	Ribaudo
Thompson 37	Ward			

VACANCY: 003

HB 1355, relating to actuarial reports, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 1355** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall

Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Cierpiot	Daniel 42	Goward	Morgan	O'Neill
Ribaudo	Thompson 37	Van Zandt	Ward	Witt

VACANCY: 003

Representative Smith declared the bill passed.

On motion of Representative Stokan, title to the bill was agreed to.

Representative Tate moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

HB 1221, relating to county treasurer, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 1221** was read the third time and passed by the following vote:

AYES: 140

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway

Troupe	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 007

Hartzler 123	Hartzler 124	Hendrickson	Hohulin	Loudon
Murray 135	Robirds			

PRESENT: 000

ABSENT WITH LEAVE: 013

Cierpiot	Crump 152	Daniel 42	Goward	Lumpe
Morgan	O'Neill	Ribaudo	Shear 83	Thompson 37
Van Zandt	Ward	Wiggins		

VACANCY: 003

Representative Smith declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative May (108) moved that motion lay on the table.

The latter motion prevailed.

HB 1093, relating to fire protection district levies, was taken up by Representative Foley.

On motion of Representative Foley, **HB 1093** was read the third time and passed by the following vote:

AYES: 142

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 006

Bennett 15	Hegeman	Hohulin	Loudon	Murray 135

Robirds

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Daniel 42	Goward	Harlan	Lumpe
Morgan	O'Neill	Ribaudo	Shear 83	Thompson 37
Van Zandt	Ward			

VACANCY: 003

Representative Smith declared the bill passed.

On motion of Representative Garnett, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 929, relating to arbitration of insurance disputes, was taken up by Representative Auer.

On motion of Representative Auer, **HB 929** was read the third time and passed by the following vote:

AYES: 142

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Wannenmacher
Whiteside	Wieland	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Bray	Cierpiot	Clayton	Daniel 42	Ford
Goward	Harlan	Jacob	Lumpe	Morgan
O'Neill	Ribaudo	Shear 83	Thompson 37	Van Zandt
Vogel	Ward	Wiggins		

VACANCY: 003

Representative Smith declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

HB 1119, relating to life insurance, was taken up by Representative Lakin.

On motion of Representative Lakin, **HB 1119** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 003

Davis	Gratz	Luetkenhaus

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Daniel 42	Goward	Harlan	Lumpe
Morgan	O'Neill	Ribaudo	Shear 83	Thompson 37
Van Zandt	Ward			

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Fiebelman, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HB 1432, relating to consumer loan act, was taken up by Representative Liese.

On motion of Representative Liese, **HB 1432** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Daniel 42	Edwards-Pavia	Goward	Lumpe
Morgan	O'Neill	Ribaudo	Shear 83	Thompson 37
Van Zandt	Ward			

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

HB 791, relating to student suspension hearings, was taken up by Representative Ross.

On motion of Representative Ross, **HB 791** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Hosmer	Howerton

Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 003

Days	Hickey	Marshall 26

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Daniel 42	Goward	Lumpe	Morgan
O'Neill	Ribaudo	Shear 83	Thompson 37	Van Zandt

Ward

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HB 1441, relating to school bus operators, was taken up by Representative Ross.

On motion of Representative Ross, **HB 1441** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1

Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten
Mr. Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Chrismer	Cierpiot	Daniel 42	Franklin	Goward
Harlan	Lumpe	Morgan	O'Neill	Ribaudo
Shear 83	Thompson 37	Van Zandt	Ward	

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HB 941, relating to trusts, was taken up by Representative Smith.

On motion of Representative Smith, **HB 941** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn 123	Hagan-Harrell	Hall	Hand	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Vogel	Wannenmacher	Whiteside	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Froelker

PRESENT: 000

ABSENT WITH LEAVE: 014

Cierpiot	Daniel 42	Edwards-Pavia	Goward	Harlan
Lumpe	Morgan	O'Neill	Ribaudo	Shear 83

Thompson 37	Van Zandt	Ward	Wieland	

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HB 773, relating to operator's license, was taken up by Representative Backer.

On motion of Representative Backer, **HB 773** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Vogel	Wannenmacher
Whiteside 159	Wieland	Wiggins	Williams 121	Williams
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Daniel 42	Goward	Harlan	Lumpe
Morgan	O'Neill	Ribaudo	Shear 83	Thompson 37
Van Zandt	Ward			

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Pauley moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 846**, entitled:

An act to repeal sections 105.483 and 105.487, RSMo 1994, relating to public officers and employees, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 846, Page 1, In the Title, Line 3, by inserting immediately after the word "subject" the following: ", with an emergency clause"; and

Further amend said bill, page 3, section 105.487, line 17, by inserting after the words "person appointed to office" the following: "**, except any person elected for county committee of a political party pursuant to section 115.617, RSMo,**"; and by adding on page 3, after line 32 following the words "for filing the statement" the following:

"Section B. Because immediate action is necessary to ensure accuracy in the filing of financial statements, this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.".

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS #2 SS HB 1047, as amended** and has taken up and passed **CCS SS #2 SS HB 1047**.

Emergency Clause Adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 29**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 27 of article VI of the constitution of Missouri relating to joint municipal utility commission revenue bonds, and adopting one new section in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 569**, entitled:

An act to repeal sections 210.150, 210.152 and 210.183, RSMo 1994, relating to reports of child abuse or neglect, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 613 & 714**, entitled:

An act to amend chapter 392, RSMo by adding one new section relating to cable television services to occupants of certain properties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 676**, entitled:

An act to repeal sections 96.196, 205.160, 205.190, 206.110 and 206.157, RSMo 1994, relating to the powers of governmental hospitals to offer, and to enact five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORTS

Committee on Agriculture, Chairmen Leake and Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SCS SCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1465**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1154**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **HB 1588**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 987, HB 1155, HB 1158 and HB 1219**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

On motion of Representative Backer, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by Representative Dougherty.

Representative Backer suggested the absence of a quorum.

The following roll indicated a quorum present:

AYES: 001

Hickey

NOES: 000

PRESENT: 128

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Daniels 41
Davis	Days	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Howerton	Kasten
Kauffman	Kelly 27	Kissell	Koller	Kreider
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
May 108	Mays 50	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Schilling	Schwab	Sears 1	Secrest	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Treadway	Troupe	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

ABSENT WITH LEAVE: 031

Auer	Cierpiot	Crump 152	Daniel 42	Donovan
Goward	Hall	Harlan	Hartzler 124	Hosmer
Jacob	Keeven	Kelley 47	Klumb	Lakin
Leake	Lumpe	Marshall 133	McBride	Morgan
O'Connor	O'Neill	Pauley	Ribaudo	Scheve

Scott Shear 83 Thomason 163 Thompson 37 Van Zandt

Ward

VACANCY: 003

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SS #2 SS HB 1047**, begs leave to report it has examined the foregoing bill and finds the same to be truly and correctly printed as agreed to and finally passed.

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, and 459**, begs leave to report it has examined the same and recommends that they **Do Pass**.

PERFECTION OF HOUSE BILL

HCS HB 945, as amended, relating to environmental audit privilege, was again taken up by Representative Smith.

The Speaker resumed the Chair.

Representative Gunn offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 945, Page 3, Section 4, Lines 15 through 19, by deleting all of said lines; and

Further amend said bill, Page 3, Section 4, Line 20, by deleting the number "**4.**" and inserting in lieu thereof the number "**3.**"; and

Further amend said bill, Page 3, Section 4, Line 30, by deleting the number "**5.**" and inserting in lieu thereof the number "**4.**"; and

Further amend said bill, Page 4, Section 4, Line 38, by deleting the number "**6.**" and inserting in lieu thereof the number "**5.**" and by deleting the number "**4**" after the word "**subsection**" and inserting in lieu thereof the number "**3**"; and

Further amend said bill, Page 4, Section 4, Line 42, by deleting the number "**7.**" and inserting in lieu thereof the number "**6.**"; and

Further amend said bill, Page 4, Section 4, Line 43, by deleting the number "**5**" after the word "**subdivision**" and inserting in lieu thereof the number "**4**"; and

Further amend said bill, Page 4, Section 4, Line 46, by deleting the number "**8.**" and inserting in lieu thereof the number "**7.**"; and

Further amend said bill, Page 4, Section 4, Line 51, by deleting the number "**9.**" and inserting in lieu thereof the number "**8.**"; and

Further amend said bill, Page 4, Section 4, Line 54, by deleting the number "**10.**" and inserting in lieu thereof the number "**9.**".

Representative Lograsso offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 945, Page 3, Section 4, Line 15, by deleting the word"person" and inserting in lieu thereof the words "governmental entity" and on line 18 by deleting the word "person" and inserting in lieu thereof the words "governmental entity"

Representative Smith raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 4 is dilatory and not a true substitute.

The Chair ruled the point of order not well taken.

Representative Garnett moved the previous question.

Which motion was defeated by the following vote:

AYES: 051

Akin	Boatright	Brown	Burton	Champion
Childers	Cooper	Copeland	Davis	Elliott
Evans	Fiebelman	Garnett	Gibbons	Graham
Gratz	Griesheimer	Gross	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Klumb	Kreider
Linton	Marble	McClelland	Nordwald	Ostmann
Overschmidt	Pouche	Rizzo	Robirds	Sallee
Shields	Smith	Sombart	Steen	Summers
Surface	Vogel	Wannenmacher	Whiteside	Williams 121

Wooten

NOES: 091

Alter	Backer	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Bland	Bonner	Bray	Broach
Canuteson	Carter	Chrismer	Clayton	Crum 112
Crump 152	Daniels 41	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Farmer	Farnen	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Green	Gunn	Hagan-Harrell	Hall
Hand	Hickey	Hohulin	Hoppe	Jacob
Keeven	Kelley 47	Kelly 27	Kissell	Lakin
Legan	Levin	Liese	Lograsso	Loudon
Luetkenhaus	Marshall 26	Marshall 133	May 108	Mays 50
McLuckie	Mitchell	Montgomery	Murphy	Murray 69
Murray 135	Naeger	O'Connor	O'Toole	Oetting
Prost	Pryor	Reynolds	Richardson	Ridgeway
Ross	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Skaggs
Stokan	Stoll	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Wieland	Wiggins	Williams 159
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer	Boucher	Cierpiot	Daniel 42	Goward
Harlan	Koller	Leake	Long	Lumpe
McBride	Morgan	O'Neill	Pauley	Ribaudo
Shear 83	Van Zandt	Ward		

VACANCY: 003

HCS HB 945, as amended, with House Substitute Amendment No. 1 for House Amendment No. 4 and House Amendment No. 4, pending, was laid over.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1609, introduced by Representative Klumb, relating to general not for profit corporations.

HB 1610, introduced by Representative Farnen, relating to food donations and distribution.

HB 1611, introduced by Representative Rizzo, relating to port authorities.

HB 1612, introduced by Representative May (108), relating to special purpose contracts.

HB 1613, introduced by Representatives Lumpe and Cooper, et al, relating to stormwater control and local parks.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, March 7, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Seventh Day, Tuesday, March 5, 1996, page 6, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 12, line 9, by deleting the word "priority" and inserting in lieu thereof the word "property".

Page 12, line 11, by deleting the word "provider" and inserting in lieu thereof the word "provides".

Page 12, by deleting lines 16 and 17 and inserting in lieu thereof the following:

The University will retain ownership of approximately 10 contiguous acres to the immediate west of Troost Avenue; and

Page 12, line 36, by deleting the word "said" and inserting in lieu thereof the word "such".

Thirty-eighth Day-Wednesday, March 6, 1996

COMMITTEE MEETINGS

BUDGET

Thursday, March 7, 1996, 8:30 am. Hearing Room 9. Executive Session

To be considered - HJR 58, HB 1377

CHILDREN, YOUTH, AND FAMILIES

Thursday, March 7, 1996. Side gallery upon adjournment.

To be considered - Executive Session - HB 1044

ENERGY AND ENVIRONMENT

Thursday, March 7, 1996, 9:00 am. Hearing Room 8. Executive Session

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, March 7, 1996. Side gallery upon adjournment. Executive Session.

PROFESSIONAL REGISTRATION & LICENSING

Thursday, March 7, 1996, 9:00 am. Room 401.

To be considered - Executive Session - HB 1143, Executive Session -

HB 914, Executive Session - HB 990

PUBLIC HEALTH AND SAFETY

Thursday, March 7, 1996, 9:00 am. Side Gallery.

To be considered - Executive Session - HB 1206

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Monday, March 18, 1996, 3:30 pm. Side Gallery.

Executive Session Will Follow

To be considered - HB 1282, HB 918

TOURISM, RECREATION AND CULTURAL AFFAIRS

Thursday, March 7, 1996. Side gallery upon adjournment. Executive Session.

To be considered - HB 1129

HOUSE CALENDAR

THIRTY-NINTH DAY, THURSDAY, MARCH 7, 1996

HOUSE BILLS FOR SECOND READING

HB 1609 through HB 1613

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

Thirty-eighth Day-Wednesday, March 6, 1996

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 1006 - Tate

HCS HB 1007 - Tate

HCS HB 1008 - Franklin

HCS HB 1009 - Troupe

HCS HB 1010 - Carter

HCS HB 1011 - Troupe

HCS HB 1012 - Green

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HCS HB 945, as amended, with HSA 1 for HA 4 & HA 4, pending - Smith
4 HB 782, HCA 1 - Stokan
5 HCS HB 980 - Farnen
6 HCS HB 1169 & 1271, Williams (121) - Hosmer
7 HCS HB 1099 - Williams (159)
8 HB 1243, HCA 1 - Farmer
9 HCS HB 1207, 1288, 1408 & 1409 - Tate
10 HB 985 - Franklin
11 HB 1368 - May (108)
12 HCS HB 1363 - Mays (50)
13 HB 1113 - Stoll
14 HB 811 - Smith
15 HB 962 - Lumpe
16 HB 1361, HCA 1, Gibbons - Treadway
17 HCS HB 1372 - Mays (50)
18 HCS HB 1174 & 1309 - May (108)
19 HCS HB 1159, 842 & 799 - Jacob
20 HB 908, HCA 1 Thomason (163) - Ross
21 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
22 HB 852, HCA 1 - Canuteson
23 HCS HB 999 - Treadway
24 HCS HB 1186 - Hoppe
25 HCS HB 1237 - Rizzo
26 HB 1241 - Witt
27 HCS HB 1185 - McClelland
28 HB 839 - Luetkenhaus
29 HB 1411 - Loudon
30 HCS HB 1149, 1150 & 1240 - Jacob
31 HCS HB 894 - Bray
32 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
33 HB 1380 - Lumpe

Thirty-eighth Day-Wednesday, March 6, 1996

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 4, 1996)

1 HB 1295 - Gunn
2 HB 1101 - Franklin

3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans
6 HB 1168 - Crum (112)
7 HB 956 - VanZandt
8 HB 1117 - Green
9 HB 1523 - Linton
10 HB 1055 - Overschmidt
11 HB 1537 - Treadway
12 HB 1359 - Green
13 HB 1566 - Richardson
14 HB 1428 - Leake
15 HB 1473 - Shear (83)
16 HB 1110 - Treadway
17 HB 1076 - Childers
18 HB 1166 - McClelland
19 HB 1420 - Sears (1)
20 HB 1305 - Gratz
21 HB 1440 - Backer
22 HB 1315 - Schwab
23 HB 1477 - Farnen
24 HB 1131 - Kreider
25 HB 1369 - Thomason (163)
26 HB 1431 - Shields
27 HB 1304 - Hosmer

(March 6, 1996)

28 HB 1533 - Ostmann

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1001 - Green

HCS HB 1002 - Franklin

HCS HB 1003 - Franklin

HCS HB 1004 - Green

HCS HB 1005 - Green

HOUSE BILLS FOR THIRD READING

HB 974, (Budget Fiscal 2-14-96) - Crump (152)

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 800, 812, 817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 992 - Harlan

HOUSE BILL FOR THIRD READING - CONSENT

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HR 443 - Whiteside

HR 444 - Whiteside

HR 445 - Whiteside

HR 446 - Whiteside

HR 447 - Whiteside

HR 448 - Whiteside

HR 449 - Whiteside

HR 450 - Whiteside

HR 451 - Witt

HR 452 - Witt

HR 453 - Witt

HR 454 - Witt

HR 455 - Witt

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House Journal

Second Regular Session, 88th General Assembly

THIRTY-NINTH DAY, Thursday, March 7, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Once again the winter cold settles around, Lord God, and reminds us of the changeability of nature. We must be flexible to adjust to these changes in your creation's patterns. There is a lesson for us in that flexibility - for here in this place of government, we must also learn to be flexible. The rigidity of thought and ideas is not easily overcome, but help us learn to listen with discerning ears, so that we might hear new ideas and new thoughts. Help us listen with open minds, in case there just might be something by which we could learn and grow. Let us not shut our eyes and ears and minds to those who think differently than we do, but rather let us use the common sense you've given us to recognize when it's time to be flexible.

We ask your continued guidance in all that is transacted here today. Watch over these representatives as they enjoy a respite from the job at hand. Let them enjoy their time with family and friends. Refresh them and renew them; protect them and surround them with your loving arms, secure in the knowledge of your presence. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: David Henry, Abby Bouwhuis, Kevin Buss and Heather Woodyard.

The Journal of the thirty-eighth day was approved as corrected.

RESOLUTIONS

Representative Enz offered House Resolution No. 460, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 461, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Loudon offered House Resolution No. 462, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution No. 463, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution No. 464, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative O'Toole offered House Resolution No. 465, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Auer offered House Resolution No. 466, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 467, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 468, which was referred to the Committee on Miscellaneous

Bills and Resolutions.

Representative Clayton offered House Resolution No. 469, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution No. 470, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 471, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 402 through 414 and House Resolutions Nos. 416 through 459 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 402 through 414 and House Resolutions Nos. 416 through 459 were adopted.

SECOND READING OF HOUSE BILLS

HB 1609 through **HB 1613** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 569, **SCS SB 613 & 714**, and **SB 676** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1001, HCS HB 1002, HCS HB 1003, HCS HB 1004 and HCS HB 1005**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget (Fiscal Note), Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 974**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE BILL WITH SENATE AMENDMENT

HB 846, with Senate Committee Amendment No. 1, relating to financial disclosure, was taken up by Representative Koller.

On motion of Representative Koller, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 152

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Pryor

Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 001

Auer

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	Lograsso	O'Neill
Prost	Ribaudo			

VACANCY: 003

On motion of Representative Koller, **HB 846, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Daniel 42	Goward	Lograsso	O'Neill
Prost	Ribaudo			

VACANCY: 003

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 003

Hendrickson	Hohulin	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 008

Boatright	Cierpiot	Daniel 42	Goward	Lograsso
O'Neill	Prost	Ribaudo		

VACANCY: 003

On motion of Representative Hoppe, title to the bill was agreed to.

Representative Farmer moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

SCS SB 540, relating to Missouri Rehabilitation Center, was taken up by Representative Marshall (133).

On motion of Representative Marshall (133), **SCS SB 540** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green

Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Daniel 42	Goward	Kauffman	Klumb
Lograsso	O'Neill	Prost	Ribaudo	

VACANCY: 003

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 003

Hendrickson	Hohulin	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Daniel 42	Goward	Klumb	Lograsso
Murray 135	O'Neill	Prost	Ribaudo	

VACANCY: 003

On motion of Representative Foley, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Crum (112) moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1001, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1001** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 010

Boatright	Bray	Cierpiot	Daniel 42	Goward
Klumb	Lograsso	O'Neill	Prost	Ribaudo

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Days (71) moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1002, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 1002** was read the third time and passed by the following vote:

AYES: 142

Alter	Auer	Backer	Barnett 4	Bartelsmeyer
Bennett 15	Bland	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 009

Akin	Ballard	Elliott	Hall	Hohulin
Kelley 47	Linton	Loudon	Scott	

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Daniel 42	Goward	Jacob	Klumb
Lograsso	O'Neill	Prost	Ribaudo	

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Tate moved that the vote by which the bill passed be reconsidered.

Representative Witt moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1003, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 1003** was read the third time and passed by the following vote:

AYES: 146

Alter	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 005

Akin	Hall	Hohulin	Linton	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Daniel 42	Goward	Klumb	Lograsso
O'Neill	Prost	Ribaudo	Stokan	

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Fiebelman, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1004, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1004** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford

Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 009

Bennett 15	Cierpiot	Daniel 42	Goward	Klumb
Lograsso	O'Neill	Prost	Ribaudo	

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Davis, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1005, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1005** was read the third time and passed by the following vote:

AYES: 129

Alter	Auer	Backer	Ballard	Barnett 4
Bennett 15	Bland	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Long	Lumpe	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Nordwald	O'Connor	O'Toole	Oetting	Ostmann

Overschmidt	Pauley	Pouche	Reynolds	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 022

Akin	Bartelsmeyer	Elliott	Enz	Evans
Froelker	Gaskill	Hall	Hegeman	Hendrickson
Hohulin	Linton	Loudon	Marble	Naeger
Pryor	Richardson	Ridgeway	Sallee	Smith
Steen	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 009

Cierpiot	Daniel 42	Goward	Klumb	Lograsso
Luetkenhaus	O'Neill	Prost	Ribaudo	

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Bray moved that the vote by which the bill passed be reconsidered.

Representative Garnett moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 846**, begs leave to report it has examined the foregoing bill and find the same to be truly and correctly printed as agreed to and finally passed.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 846 and CCS SS #2 SS HB 1047** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 846 and CCS SS #2 SS HB 1047** were delivered to the Governor by the Chief Clerk of the House.

SENATE CONCURRENT RESOLUTION

SCS SCR 21, relating to waste facility permits, was taken up by Representative Leake.

Representative Leake moved that Rule 65 be suspended and **SCS SCR 21** be adopted.

Representative Richardson requested a division of the question on the issue of the suspension of Rule 65 and the adoption of SCS SCR 21 and a roll call be taken on the suspension of Rule 65.

Part I, the suspension of Rule 65, was adopted by the following vote:

AYES: 095

Auer	Backer	Barnett 4	Boatright	Bonner
Boucher	Bray	Canuteson	Carter	Champion
Clayton	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Farmer
Farnen	Fiebelman	Fitzwater	Ford	Franklin
Garnett	Gratz	Green	Gunn	Hagan-Harrell

Harlan	Hartzler 123	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Levin
Liese	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	O'Connor
O'Toole	Oetting	Overschmidt	Pauley	Pryor
Reynolds	Rizzo	Robirds	Ross	Scheve
Schilling	Scott	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Whiteside	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 054

Akin	Alter	Ballard	Bartelsmeyer	Bennett 15
Broach	Brown	Childers	Chrismer	Cooper
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham	Griesheimer
Gross	Hall	Hand	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Legan	Linton	Long
Loudon	Marble	McClelland	Murray 135	Naeger
Nordwald	Ostmann	Pouche	Richardson	Ridgeway
Sallee	Schwab	Secrest	Shields	Steen
Surface	Vogel	Wannenmacher	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Burton	Cierpiot	Daniel 42	Foley
Goward	Lograsso	O'Neill	Prost	Ribaudo

Ward

VACANCY: 003

Representative Howerton offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Concurrent Resolution No. 21, Page 1, Paragraph 8, Line 4 by adding following the word units " in counties containing a lake with a shore line of more than 1000 miles and their adjoining counties"

Representative Leake raised a point of order that House Amendment No. 1 is dilatory.

The Chair ruled the point of order not well taken.

Representative Howerton moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Hohulin offered House Amendment No. 2.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Concurrent Resolution No. 21, Page 1, Line 28 by adding after the word units the following: in counties which have had a reported spill by a Class 1A facility in the last 12 months.

Representative Hohulin moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Froelker offered House Amendment No. 3.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Concurrent Resolution No. 21, Page 1, Line 15 by inserting an

opening bracket after "1A" and a closing bracket after "1B".

Representative Froelker moved that House Amendment No. 3 be adopted.

Which motion was defeated.

On motion of Representative Leake, **Part II, SCS SCR 21** was adopted by the following vote:

AYES: 138

Akin	Alter	Auer	Backer	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Bray	Broach	Brown	Canuteson	Carter
Champion	Childers	Chrismer	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Wannenmacher	Whiteside	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 010

Evans	Graham	Hartzler 124	Hohulin	Kasten
Loudon	Schwab	Steen	Vogel	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 012

Ballard	Bland	Burton	Cierpiot	Daniel 42
Goward	Lograsso	O'Neill	Prost	Ribaudo
Thompson 37	Ward			

VACANCY: 003

THIRD READING OF HOUSE BILLS

HB 974, relating to sex offenders, was taken up by Representative Crump (152).

On motion of Representative Crump (152), **HB 974** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Backer	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Boucher	Bray
Broach	Brown	Canuteson	Carter	Champion
Childers	Chrismer	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer

Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 002

Auer	Bland

ABSENT WITH LEAVE: 013

Ballard	Burton	Cierpiot	Daniel 42	Garnett
Goward	Lograsso	O'Neill	Prost	Reynolds
Ribaudo	Stokan	Thompson 37		

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Sears (1), title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Troupe moved that motion lay on the table.

The latter motion prevailed.

HB 992, relating to uniform interstate family support act, was taken up by Representative Harlan.

On motion of Representative Harlan, **HB 992** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Broach	Brown	Canuteson	Carter
Champion	Childers	Chrismer	Clayton	Cooper
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon

104				
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Ballard	Bray	Burton	Cierpiot	Copeland
Daniel 42	Goward	Lograsso	McClelland	Naeger
O'Neill	Pauley	Ribaudo	Stokan	Thompson 37

VACANCY: 003

The Speaker declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL - CONSENT

HB 806, relating to pharmaceutical brand labels, was taken up by Representative Hagan-Harrell.

Representative Hagan-Harrell moved that **HB 806** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 038

Backer	Bray	Canuteson	Carter	Clayton
Crump 152	Daniels 41	Davis	Days	Donovan
Farmer	Fitzwater	Ford	Franklin	Garnett
Hagan-Harrell	Hand	Harlan	Hickey	Jacob
Kreider	Leake	Lumpe	Marshall 26	May 108
McLuckie	Morgan	Murphy	O'Toole	Overschmidt
Schilling	Shear 83	Sheldon 104	Skaggs	Smith
Van Zandt	Williams 121	Mr. Speaker		

NOES: 106

Akin	Alter	Auer	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Boucher	Broach
Brown	Champion	Childers	Chrismer	Cooper
Crum 112	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Foley	Foster
Froelker	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hall	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Lakin	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Marble	Marshall 133
McBride	McClelland	Mitchell	Montgomery	Murray 69
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pauley	Pouche	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Sears 1	Secrest
Shelton 57	Shields	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Vogel	

Wannenmacher
Whiteside Wieland Wiggins Williams 159 Witt

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 016

Ballard Bland Burton Cierpiot Copeland
Daniel 42 Gaskill Goward Hosmer Lograsso
Mays 50 O'Connor O'Neill Prost Ribaudo

Ward

VACANCY: 003

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1006, relating to appropriations, was taken up by Representative Tate.

Representative Tate offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1006, Page 6, Section 6.075, Line 6 by deleting the figure "$2,161,084" and inserting in lieu thereof the figure "$2,230,084".

On motion of Representative Tate, House Amendment No. 1 was adopted.

Representative Legan offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1006, Section 6.045 by deleting the section in its entirety and inserting in lieu thereof the following section:

"Section 6.045. To the Department of Agriculture

For the Division of Market Development

For the purpose of funding the Grape and Wine Market and

Development Program

From Market Development Fund (0 F.T.E.) .....$ 500,000"

Representative Legan moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Tate, **HCS HB 1006, as amended**, was adopted.

On motion of Representative Tate, **HCS HB 1006, as amended,** was ordered perfected and printed.

COMMUNICATION FROM THE SECRETARY OF THE STATE

TO THE SPEAKER OF THE HOUSE

Honorable Steve Gaw

Jefferson City, MO

Sir:

I, Rebecca McDowell Cook, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 100th Legislative District in the State of Missouri, on the 5th day of March, 1996, as provided by law, the following named person was elected to the office of State Representative, 100th Legislative District as shown by the election results certified to this office by the Election Authority of the 100th Legislative District.

NameOffice

Joan Barry State Representative
5050 Lampglow 100th Legislative District
St. Louis, MO 63129

IN WITNESS WHEREOF, I have hereunto set

my hand and affixed the seal of my office this 7th

day of March, 1996.

/s/ Rebecca McDowell Cook

Secretary of State

OATH OF OFFICE

Representative Joan Bray advanced to the bar and subscribed to the oath of office, which was administered by Speaker Steve Gaw.

Representative Koller suggested the absence of a quorum.

The following roll call indicated a quorum present.

AYES: 000

NOES: 000

PRESENT: 138

Akin	Alter	Auer	Backer	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Boucher	Bray	Broach	Brown	Canuteson
Carter	Champion	Childers	Chrismer	Clayton
Cooper	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Pauley	Pryor	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

ABSENT WITH LEAVE: 023

Ballard	Bonner	Burton	Cierpiot	Copeland
Daniel 42	Edwards-Pavia	Goward	Hand	Hosmer
Howerton	Jacob	Keeven	Linton	Lograsso
O'Neill	Oetting	Pouche	Prost	Ribaudo
Richardson	Thompson 37	Ward		

VACANCY: 002

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1007, relating to appropriations, was taken up by Representative Tate.

Representative Elliott offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1007, Section 7.700 by deleting the section in its entirety and inserting in lieu thereof the following:

"Section 7.700. To the Department of Insurance

Personal Service..... $ 3,617,545

Annual Salary Adjustment in accordance with

Section 105.005 RSMo..... 4,539

Expense and Equipment..... 1,663,598

From Insurance Dedicated Fund (Not to exceed

127.5 F.T.E.).....$ 5,285,682"

Representative Elliott moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Auer assumed the Chair.

Representative Treadway offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill 1007, Page 14, Section 7.285, Line 4 by deleting the figure "294,734" and inserting in lieu thereof the figure "227,284".

On motion of Representative Treadway, House Amendment No. 2 was adopted.

Representative Wannenmacher offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1007, Page 8, Section 7.136 by deleting the section in its entirety; and further amend said bill, page 8; Section 7.137 by deleting the section in its entirety and inserting in lieu thereof the following section:

"Section 7.137. To the Department of Economic Development

For the purpose of funding the Missouri Humanities Council

From Federal Funds (0 F.T.E.).....$532,000E"

From General Revenue.....$100,000.

Representative Wannenmacher moved that House Amendment No. 3 be adopted.

Which motion was defeated.

On motion of Representative Tate, **HCS HB 1007, as amended,** was adopted.

On motion of Representative Tate, **HCS HB 1007, as amended,** was ordered perfected and printed.

LETTER OF OBJECTION

March 7, 1996

Mr. Douglas Burnett

Chief Clerk of the House

Room 306-C, State Capitol Building

Jefferson City, MO 65101

Dear Mr. Burnett:

In accordance with House Rule 48, the undersigned hereby file a written objection and respectfully request that HB 918 be stricken from the house consent Calendar and be returned to Higher Education.

All who undersigned this bill may wish to offer amendments to the bill and are not members of the Higher Education Committee.

We feel this bill is of a controversial matter.

Respectfully submitted,

/s/ Delbert L. Scott

/s/ Don Steen

/s/ Bubs Hohulin

/s/ Bob Ward

/s/ Don Koller

March 7, 1996

Mr. Douglas Burnett

Chief Clerk of the House

Room 306-C, State Office Building

Jefferson City, MO 65101

Dear Mr. Burnett:

In accordance with House Rule, the undersigned hereby file a written objection and respectfully request that HB 1166 be stricken from the House Consent Calendar and be returned to Higher Education.

All who undersigned this bill may wish to offer amendments to the bill and are not members of the Higher Education Committee.

We feel this bill is of a controversial matter due to the fiscal note.

Thirty-ninth Day-Thursday, March 7, 1996

Respectfully submitted,

/s/ James O'Toole

/s/ James Foley

/s/ Joe Treadway

/s/ Phil Wannemacher

/s/ Bubs Hohulin

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated pursuant to Rule 48:

HB 1166 - Rules, Joint Rules and Bills Perfected and Printed

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 32 - Social Services, Medicaid and the Elderly

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The following Senate Joint Resolutions were referred to the Committee indicated:

SCR 18 - Federal-State Relations and Veterans Affairs

SCR 19 - Federal-State Relations and Veterans Affairs

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 484 - Local Government and Related Matters

SB 491 - Civil and Criminal Law

SB 492 - Agriculture

SB 499 - Motor Vehicle and Traffic Regulations

SB 506 - Education - Higher

SB 522 - Motor Vehicle and Traffic Regulations

SB 532 - Local Government and Related Matters

SCS SB 533, 512 & 581 - Children, Youth and Families

SB 537 - Federal-State Relations and Veterans Affairs

SS#3 SB 547 - Correctional and State Institutions

SB 565 - Labor

SB 578 - Judiciary and Ethics

SB 582 - Social Services, Medicaid and the Elderly

SB 589 - Consumer Protection

SB 605 - Education - Elementary and Secondary

SB 629 - Judiciary and Ethics

SB 630 - Consumer Protection

SB 632 - Motor Vehicle and Traffic Regulations

SCS SB 642 & 819 - Motor Vehicle and Traffic Regulations

SB 659 - Science, Technology and Critical issues

SB 664 - Insurance

SB 665 - Local Government and Related Matters

SB 670 - Miscellaneous Bills and Resolutions

SB 677 - Motor Vehicle and Traffic Regulating

SB 693 - Professional Registration and Licensing

SB 694 - Education - Higher

SB 702 - Budget

SB 710 - Social Services, Medicaid and the Elderly

SB 715 - Tourism, Recreation and Cultural Affairs

SB 720 - Judiciary and Ethics

SB 721 - Correctional and State Institutions

SB 727 - Social Services, Medicaid and the Elderly

SB 728 - Children, Youth and Families

SB 730 - Workers Compensation and Employment Security

SB 731 - Workers Compensation and Employment Security

SB 733 - Workers Compensation and Employment Security

SCS SB 758 - Motor Vehicle and Traffic Regulations

SCS SB 763 & 545 - Children, Youth and Families

SB 766 - Agriculture

SB 768 - Judiciary and Ethics

SB 769 - Civil and Criminal Law

SB 780 - Transportation

SB 783 - Workers Compensation and Employment Security

SB 792 - Transportation

SB 803 - Judiciary and Ethics

SCS SB 806 - Local Government and Related Matters

SB 809 - Education - Higher

SB 818 - Urban Affairs

SB 830 - Civil and Criminal Law

SB 835 - Judiciary and Ethics

SB 842 - Civil and Criminal Law

SB 845 - Local Government and Related Matters

SB 846 - Tourism, Recreation and Cultural Affairs

SB 850 - Civil and Criminal Law

SB 870 - Correctional and State Institutions

SB 904 - Local Government and Related Matters

Thirty-ninth Day-Thursday, March 7, 1996

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1614, introduced by Representative Kissell, relating to property taxation.

HB 1615, introduced by Representative Kreider, relating to the regulation of certain municipalities' sale of water to certain customers.

HB 1616, introduced by Representatives Franklin and Stoll, et al, relating to the Missouri career development and teacher excellence plan.

HB 1617, introduced by Representative Stoll, relating to school definitions.

HB 1618, introduced by Representatives Hendrickson and Enz, et al, relating to school property.

HB 1619, introduced by Representatives McClelland and Dougherty, et al, relating to domestic relations.

HB 1620, introduced by Representatives Rizzo and Enz, relating to street gangs.

HB 1621, introduced by Representatives McClelland and Evans, et al, relating to elections.

HB 1622, introduced by Representative Robirds, et al, relating to peace officer training.

HB 1623, introduced by Representative Robirds, relating to motor vehicle financial responsibility with penalty provisions.

HB 1624, introduced by Representative Luetkenhaus, relating to certain support obligations, with penalty provisions.

HB 1625, introduced by Representative Foster, et al, relating to certain school board elections.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1044**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SS SB 687**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Energy and Environment, Chairman Garnett reporting:

Mr. Speaker: Your Committee on Energy and Environment, to which was referred **HB 1260**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Fees and Salaries, Chairman Marshall (26) reporting:

Mr. Speaker: Your Committee on Fees and Salaries, to which was referred **HB 1286**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1554**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **HB 1564**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HB 819**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Municipal Corporations, Chairman Shelton (57) reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HR 226**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 226

A RESOLUTION DESIGNATING AN AREA TO BE TARGETED FOR ECONOMIC DEVELOPMENT AND HOUSING DEVELOPMENT, AND ACKNOWLEDGING THE WORK OF THE ST. LOUIS REINVESTMENT CORPORATION.

Whereas, the program area of the St. Louis Reinvestment Corporation (SLRC) is a high density urban area encompassing the City of St. Louis and a section of north St. Louis County which contains almost one-third of the Missouri portion of the population of the St. Louis Metropolitan Statistical Area; and

Whereas, the program area of SLRC contains two-thirds of the people in the Missouri portion of the St. Louis Metropolitan Statistical Area whose incomes are below the poverty level; and

Whereas, residents of the program area have a median per capita income of $11,180, while the per capita income for the entire Missouri portion of the statistical area is $17,827, and the program area contains 70% of the residents in the Missouri portion of the statistical area who have incomes amounting to less than 50% of the poverty level; and

Whereas, the program area of SLRC contains 80% of the African American population of the Missouri portion of the St. Louis Metropolitan Statistical Area and contains 93% of the census tracts in which the African American population is more than 50% of the population in the census tract; and

Whereas, those in the program area desiring to start small businesses are prevented from doing so by the unavailability of conventional loans; and

Whereas, there is a strong need for new jobs to be created in the program area, as the unemployment rate for the area far exceeds the rate for the overall statistical area; and

Whereas, the program area of St. Louis Reinvestment Corporation, as defined by its bylaws, is a high-density urban area with a high concentration of low-income individuals and families, minorities, and unemployed individuals, along with a lack of new business development; and

Whereas, St. Louis Reinvestment Corporation has undertaken an ambitious and critically important project to assist low-income families in its area with the acquisition of affordable housing, to assist individuals with the development of new small businesses, and to create jobs and spur economic development in the area:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby designate the program area of the St. Louis Reinvestment Corporation as a significantly disadvantaged area with an urgent need of assistance for low-income families and individuals for the acquisition of affordable housing; and

Be it further resolved that the Missouri House wholeheartedly support the efforts of the St. Louis Reinvestment Corporation and praises the organization for its many significant contributions to the economic development of the region; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the St. Louis Reinvestment Corporation.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SCS SB 735**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 735, Page 1, Title, Line 2, by inserting after the word "repeal" the following: "section 321.500, RSMo 1994, and"; and further on line 3, by striking the words "one new section and inserting in lieu thereof the following: "two new sections"; and

Further amend said bill, page 1, section A, lines 1-3, by striking all of said lines and inserting in lieu thereof the following:

"Section A. Section 321.500, RSMo 1994, and section 72.418, RSMo Supp. 1995, are repealed and two new sections enacted in lieu thereof to be known as sections 72.418 and 321.500, to read as follows:"; and

Further amend said bill, page 2, section 72.418, line 35, by inserting immediately after said line, the following:

321.500. 1. If an initiative or referendum petition is presented to the secretary of the board of directors, which petition carries the names of voters of the district, equal in number [of votes of the district who voted in the last regular district election] **to at least twenty-five percent of the number of voters who voted in the most recent gubernatorial election in that district**, the board of directors shall submit the question pursuant to the order or demand of the petition.

2. Upon the filing with the circuit court having jurisdiction over the fire protection district an emergency petition signed by 100 voters of the district, the circuit court may stay any action of the district contained in the petition. A copy of the petition shall be delivered to the fire protection board upon filing with the court. The petition shall set forth all relevant facts pertaining to the emergency status of the petition, set forth reasons why the petition is an emergency in that the public health and safety of the district is at risk, request the court to stay the actions contained in the petition, and request the court to set a time for the gathering of signatures pursuant to subsection 1. The court may hold hearings on the petition, and if the court finds that the petition does state an emergency, the court shall stay the actions contained in the petition. The court shall place the petition at the top of the docket, and rule on the merits of the petition in an expeditious manner.

[2.] **3.** The measure called for in the petition is adopted if it receives an affirmative majority vote of the voters voting at the district election."

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1223**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 24**, entitled:

SENATE CONCURRENT RESOLUTION NO. 24

WHEREAS, Missourians have played an important role in Texas history. Stephen Austin, a Missourian, is considered to be the father of Texas and is the man for whom the capital of Texas was named. Stephen's father, Moses Austin, also a Missourian, is considered to be the grandfather of Texas;

WHEREAS, the Siege of the Alamo, which occurred from February 23 through March 6, 1836, in San Antonio, Texas, marked the beginning of Texas' struggle for independence from Mexico;

WHEREAS, Jacob Darst, a Missourian, was the man who touched off the first shot of the Texas Revolution;

WHEREAS, one hundred eighty men, including a number of volunteers from Missouri and men with Missouri connections, defended the fortified missions at the Alamo against an army of several thousand;

WHEREAS, on March 6, 1836, the Battle of the Alamo occurred, in which all of the men who defended the Alamo gave up their lives;

WHEREAS, five Missouri volunteers, William Charles M. Baker, George D. Butler, Charles Henry Clark, Jerry C. Day and George W. Tumlison, gave up their lives on March 6, 1836, in defense of the Alamo;

WHEREAS, while several states have established memorials for their volunteers who gave up their lives at the Alamo, no such memorial exists to honor the Missouri volunteers;

WHEREAS, Glen Whitener, President of Whitener Monuments, Incorporated and member of the Missouri Monument Builders Association, along with the Missouri Monument Builders Association, would like to donate the monument for such a memorial;

WHEREAS, this monument, to be dedicated to the memory of the Missouri volunteers, would be located at the Alamo;

NOW, THEREFORE, BE IT RESOLVED, by the Senate, the House of Representatives concurring therein, that the Missouri General Assembly supports the establishment of a memorial to honor the volunteers from Missouri who gave up their lives at the Alamo for the independence of Texas; and

BE IT FURTHER RESOLVED THAT properly inscribed copies of this resolution be delivered to Mr. Glen Whitener, President of Whitener Monuments, Incorporated, and member of the Missouri Monument Builders Association.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 494**, entitled:

An act to repeal sections 473.020, 473.033, 473.050, 473.070, 473.090, 473.093, 473.097, 473.213, 473.360, 473.433, 473.543, 473.657, 473.663, 473.823, 473.840, 474.010, 474.250, 474.260, 474.290, 474.333 and 537.021, RSMo 1994, relating to the administration of estates, and to enact twenty-two new sections relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 497**, entitled:

An act relating to planning and zoning in certain counties with a lake with one hundred ten miles of shoreline.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 560**, entitled:

An act to repeal sections 304.001, 304.155, 304.157 and 304.575, RSMo 1994, and section 301.010, RSMo Supp. 1995, relating to the towing of motor vehicles and to enact in lieu thereof seven new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 661**, entitled:

An act chapter 252, RSMo 1994, by adding one new section providing for the authority of a conservation investigative assistant.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Prost

Thirty-ninth Day-Thursday, March 7, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, March 12, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Eighth Day, Wednesday, March 6, 1996, page 8, roll call, by showing Representatives Leake and Kreider voting "aye" rather than "absent with leave".

Page 10, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 12, roll call, by showing Representative Kasten voting "aye" rather than "absent with leave".

Page 18, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Page 21, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

Page 23, roll call, by showing Representatives Linton and Pryor voting "aye" rather than "absent with leave".

Page 25, roll call, by showing Representatives Champion and Barnett (4) voting "aye" rather than "absent with leave".

Page 28, roll call, by showing Representative Gross voting "aye" rather than "absent with leave".

Page 29, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Page 30, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Page 37, roll call, by showing Representative Edwards-Pavia voting "aye" rather than "absent with leave".

Page 39, roll call, by showing Representative Chrismer voting "aye" rather than "absent with leave".

Page 40, roll call, by showing Representative Wieland voting "aye" rather than "absent with leave".

Page 44, roll call, by showing Representatives Keeven, Kelley (47) and Hall voting "aye" rather than "absent with leave".

Page 44, roll call, by showing Representative Scheve voting "aye" rather than "absent with leave".

Thirty-ninth Day-Thursday, March 7, 1996

COMMITTEE MEETINGS

BUDGET

Monday, March 18, 1996, 1:00 pm. Hearing Room 9. Executive Session

To be considered - HB 1013

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Monday, March 18, 1996, 3:30 pm. Side Gallery. Executive Session Will

Follow. Amended Notice

To be considered - HB 1282, HB 918, HB 1166

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 18, 1996, 8:00 pm. Hearing Room 5. Executive Session.

To be considered - HB 1590, HB 1461

HOUSE CALENDAR

FORTIETH DAY, TUESDAY, MARCH 12, 1996

HOUSE BILLS FOR SECOND READING

HB 1614 through HB 1625

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 1008 - Franklin

HCS HB 1009 - Troupe

HCS HB 1010 - Carter

HCS HB 1011 - Troupe

HCS HB 1012 - Green

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HCS HB 945, as amended, with HSA 1 for HA 4 & HA 4, pending - Smith
4 HB 782, HCA 1 - Stokan
5 HCS HB 980 - Farnen
6 HCS HB 1169 & 1271, Williams (121) - Hosmer
7 HCS HB 1099 - Williams (159)

HB 1243, HCA 1 - Farmer
HCS HB 1207, 1288, 1408 & 1409 - Tate
HB 985 - Franklin
HB 1368 - May (108)
HCS HB 1363 - Mays (50)
HB 1113 - Stoll
HB 811 - Smith
HB 962 - Lumpe
HB 1361, HCA 1, Gibbons - Treadway
HCS HB 1372 - Mays (50)
HCS HB 1174 & 1309 - May (108)
HCS HB 1159, 842 & 799 - Jacob
HB 908, HCA 1 Thomason (163) - Ross
HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
HB 852, HCA 1 - Canuteson
HCS HB 999 - Treadway
HCS HB 1186 - Hoppe
HCS HB 1237 - Rizzo
HB 1241 - Witt
HCS HB 1185 - McClelland
HB 839 - Luetkenhaus
HB 1411 - Loudon
HCS HB 1149,1150 & 1240 - Jacob
HCS HB 894 - Bray
HCS HB 1199, 1357 & 1393, Reynolds - Kissell
HB 1380 - Lumpe
HCS HB 1557 & 1489 - Days
HCS HB 987, 1155, 1158 & 1219 - Jacob
HCS HB 1403 - Dougherty
HB 1247 - Shelton (57)
HCS HB 1588 - Overschmidt
HB 944, HCA 1 - Smith
HB 1154 - Murray (69)
HCS HB 1540 - Green
HB 993 - Williams (121)
HB 854 - Bland

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 4, 1996)

HB 1295 - Gunn
HB 1101 - Franklin
HB 1171 - Tate
HB 1524 - Hosmer
HB 1362 - Evans
HB 1168 - Crum (112)
HB 956 - VanZandt
HB 1117 - Green
HB 1523 - Linton
HB 1055 - Overschmidt
HB 1537 - Treadway
HB 1359 - Green
HB 1566 - Richardson
HB 1428 - Leake
HB 1473 - Shear (83)
HB 1110 - Treadway
HB 1076 - Childers
HB 1420 - Sears (1)
HB 1305 - Gratz
HB 1440 - Backer
HB 1315 - Schwab
HB 1477 - Farnen
HB 1131 - Kreider
HB 1369 - Thomason (163)
HB 1431 - Shields
HB 1304 - Hosmer

(March 6, 1996)

27 HB 1533 - Ostmann

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1006 - Tate

HCS HB 1007 - Tate

HOUSE BILLS FOR THIRD READING

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

SENATE BILLS FOR SECOND READING

1 SB 497
2 SS SCS SB 494
3 SB 530
4 SS SB 560
5 SCS SB 598
6 SCS SB 657
7 SB 661
8 SB 811
9 SB 874
10 SB 876

SENATE BILLS FOR THIRD READING

SCS SB 735, HCA 1 - Liese

HCS SS SB 687 - Lumpe

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96 pgs. 15 & 16) - Gratz & Vogel

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

FORTIETH DAY, Tuesday, March 12, 1996

The House met pursuant to adjournment.

Representative Gratz in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the Flag was recited.

RESOLUTION

Representative Sears offered House Resolution No. 472, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1614 through **1625** were read the second time.

SECOND READING OF SENATE BILLS

SB 497, SS SCS SB 494, SB 530, SS SB 560, SCS SB 598, SCS SB 657, SB 661, SB 811, SB 874 and SB 876 were read the second time.

REFERRAL OF HOUSE CONCURRENT RESOLUTIONS

The following House Concurrent Resolutions were referred to the Committee indicated:

HCR 8 - Transportation

HCR 9 - Miscellaneous Bills and Resolutions

HCR 10 - Commerce

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1594 - Elections

HB 1595 - Transportation

HB 1596 - Judiciary and Ethics

HB 1597 - Ways and Means

HB 1598 - Consumer Protection

HB 1599 - Social Services, Medicaid and the Elderly

HB 1600 - Ways and Means

HB 1601 - Correctional and State Institutions

HB 1602 - Children, Youth and Families

HB 1603 - Education - Elementary and Secondary

HB 1604 - Correctional and State Institutions

HB 1605 - Workers Compensation and Employment Security

HB 1606 - Motor Vehicle and Traffic Regulations

HB 1607 - Transportation

HB 1608 - Workers Compensation and Employment Security

HB 1609 - Judiciary and Ethics

HB 1610 - State Parks, Recreation and Natural Resources

HB 1611 - Ways and Means

HB 1612 - Judiciary and Ethics

HB 1613 - State Parks, Recreation and Natural Resources

HB 1614 - Governmental Organization and Review

HB 1615 - Consumer Protection

HB 1616 - Education - Elementary and Secondary

HB 1617 - Education - Elementary and Secondary

HB 1618 - Education - Elementary and Secondary

HB 1619 - Judiciary and Ethics

HB 1620 - Civil and Criminal Law

HB 1621 - Elections

HB 1622 - Civil and Criminal Law

HB 1623 - Transportation

HB 1624 - Budget

HB 1625 - Education - Elementary and Secondary

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 24 - Federal-State Relations and Veterans Affairs

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SJR 29 - Local Government and Related Matters

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 494 - Judiciary and Ethics

SB 497 - Local Government and Related Matters

SB 530 - Motor Vehicle and Traffic Regulations

SS SB 560 - Motor Vehicle and Traffic Regulations

SCS SB 569 - Children, Youth and Families

SCS SB 598 - Elections

SCS SBs 613 & 714 - Consumer Protection

SCS SB 657 - Civil and Criminal Law

SB 661 - State Parks, Recreation and Natural Resources

SB 668 - Judiciary and Ethics

SB 676 - Local Government and Related Matters

SB 811 - Municipal Corporations

SB 874 - Local Government and Related Matters

ADJOURNMENT

On motion of Representative Gratz, the House adjourned until 4:00 p.m., Monday, March 18, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-ninth Day, Thursday, March 7, 1996, page 2, by inserting after line 15 the following:

SECOND READING OF SENATE JOINT RESOLUTION

SJR 29 was read the second time.

Page 19, line 12, by deleting the surname "Bray" and inserting in lieu thereof the surname "Barry".

Page 22, line 15, by deleting the words "Senate Joint Resolution" and inserting in lieu thereof the words "Senate Concurrent Resolutions".

Page 23, by inserting after line 33 the following:

SB 826 - Local Government and Related Matters

Page 28, by inserting after line 27, the following:

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 530**, entitled:

An act to repeal section 190.145, RSMo 1994, relating to ambulance operators, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 598**, entitled:

An act to repeal sections 115.124 and 247.180, RSMo 1994, relating to public water supply districts, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 657**, entitled:

An act to repeal section 570.030, RSMo 1994, relating to the crime of stealing, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 811**, entitled:

An act to repeal section 80.110, RSMo 1994, relating to the adoption of ordinances in villages, and to enact in lieu one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 874**, entitled:

An act to repeal section 320.094, RSMo 1995, relating to the Missouri fire education trust fund, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 876**, entitled:

An act to amend chapter 26, RSMo, by adding one new section relating to boards and commissions.

In which the concurrence of the House is respectfully requested.

COMMITTEE MEETINGS

BUDGET

Monday, March 18, 1996, 1:00 pm. Hearing Room 9. Executive Session

To be considered - HB 1013

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Monday, March 18, 1996, 3:30 pm. Side Gallery. Executive Session Will

Follow. Amended Notice

To be considered - HB 1282, HB 918, HB 1166

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 18, 1996, 8:00 pm. Hearing Room 5. Executive Session.

To be considered - HB 1590, HB 1461

HOUSE CALENDAR

FORTY-FIRST DAY, MONDAY, MARCH 18, 1996

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 1008 - Franklin

HCS HB 1009 - Troupe

HCS HB 1010 - Carter

HCS HB 1011 - Troupe

HCS HB 1012 - Green

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HCS HB 945, as amended, with HSA 1 for HA 4 & HA 4, pending - Smith
4 HB 782, HCA 1 - Stokan
5 HCS HB 980 - Farnen
6 HCS HB 1169 & 1271, Williams (121) - Hosmer
7 HCS HB 1099 - Williams (159)
8 HB 1243, HCA 1 - Farmer
9 HCS HB 1207, 1288, 1408 & 1409 - Tate
10 HB 985 - Franklin
11 HB 1368 - May (108)
12 HCS HB 1363 - Mays (50)
13 HB 1113 - Stoll
14 HB 811 - Smith
15 HB 962 - Lumpe
16 HB 1361, HCA 1, Gibbons - Treadway
17 HCS HB 1372 - Mays (50)
18 HCS HB 1174 & 1309 - May (108)

19 HCS HB 1159,842 & 799 - Jacob
20 HB 908, HCA 1 Thomason (163) - Ross
21 HCS HB 1320,981,1042,1109 & 1250 - O'Connor
22 HB 852, HCA 1 - Canuteson
23 HCS HB 999 - Treadway
24 HCS HB 1186 - Hoppe
25 HCS HB 1237 - Rizzo
26 HB 1241 - Witt
27 HCS HB 1185 - McClelland
28 HB 839 - Luetkenhaus
29 HB 1411 - Loudon
30 HCS HB 1149,1150 & 1240 - Jacob
31 HCS HB 894 - Bray
32 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
33 HB 1380 - Lumpe
34 HCS HB 1557 & 1489 - Days
35 HCS HB 987, 1155, 1158 & 1219 - Jacob
36 HCS HB 1403 - Dougherty
37 HB 1247 - Shelton (57)
38 HCS HB 1588 - Overschmidt
39 HB 944, HCA 1 - Smith
40 HB 1154 - Murray (69)
41 HCS HB 1540 - Green
42 HB 993 - Williams (121)
43 HB 854 - Bland

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 6, 1996)

HB 1533 - Ostmann

(March 12, 1996)

HB 1260 - Lumpe

HB 1564 - O'Toole

HB 1504 - Schwab

HB 1044 - Montgomery

HB 1223 - Marshall (133)

HB 819 - Backer

HB 1286 - Pryor

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1006 - Tate

HCS HB 1007 - Tate

HOUSE BILLS FOR THIRD READING

HCS HB 907 & 910, (Budget Fiscal 2-21-96) - Treadway

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1295 - Gunn
2 HB 1101 - Franklin
3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans
6 HB 1168 - Crum (112)
7 HB 956 - Van Zandt
8 HB 1117 - Green
9 HB 1523 - Linton
10 HB 1055 - Overschmidt
11 HB 1537 - Treadway
12 HB 1359 - Green
13 HB 1566 - Richardson
14 HB 1428 - Leake
15 HB 1473, E.C. - Shear (83)
16 HB 1110 - Treadway
17 HB 1076 - Childers
18 HB 1420 - Sears (1)
19 HB 1305 - Gratz
20 HB 1440 - Backer
21 HB 1315 - Schwab
22 HB 1477 - Farnen
23 HB 1131 - Kreider
24 HB 1369 - Thomason (163)
25 HB 1431 - Shields
26 HB 1304 - Hosmer

SENATE BILLS FOR THIRD READING

SCS SB 735, HCA 1 - Liese

HCS SS SB 687 - Lumpe

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 226, (3-7-96, pgs. 25 & 26) - Dougherty

House Journal

Second Regular Session, 88th General Assembly

FORTY-FIRST DAY, Monday, March 18, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"Those who are attentive to a matter will prosper, and happy are those who trust in the Lord." (Proverbs 16:20, NRSV)

O God of all times and places, let us be attentive to the matters which are before us in this House this week -- whether it be matters great or small, all issues affect us in certain ways. Whether we be farmers fighting for home-town farms or industries fighting for business in a big way -- whether we be teachers looking for standards that accurately prove a learner's content or parents concerned for the education of their children. Whatever the issue, we are all involved. As decisions come before this body, help each one here give it the attention it deserves. Help us be discerning and discriminating in the judgments made. Most of all, give us your guidance according to the highest conscience and moral character. For the sake of our state, for the sake of peace, for the sake of each one, help us do the right thing as we look to account for this day. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lucas Estes, Amanda Forshee, Rebecca Dorr, Cindy Cravens and Carrie Lynn Shuchart.

The Journal of the thirty-ninth day was approved as corrected.

The Journal of the fortieth day was approved as printed.

RESOLUTIONS

Representative Hosmer offered House Resolution No. 473, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 474, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Marshall (26) and Gaw offered House Resolution No. 475, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution No. 476, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 477, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 478, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fiebelman offered House Resolution No. 479, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution No. 480, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Kauffman and Morgan offered House Resolution No. 481, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Kauffman and Daniels (41) offered House Resolution No. 482, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Edwards-Pavia offered House Resolution No. 484.

Representative Childers offered House Resolution No. 485, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 486, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 487, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Prost offered House Resolution No. 488, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1006 and HCS HB 1007**, begs leave to report it has examined the same

and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred by Consent **HB 1295, HB 1101, HB 1171, HB 1524, HB 1362, HB 1168, HB 956, HB 1117, HB 1523, HB 1055, HB 1537, HB 1359, HB 1566, HB 1428, HB 1473, HB 1110, HB 1076, HB 1420, HB 1305, HB 1440, HB 1315, HB 1477, HB 1131, HB 1369, HB 1431 and HB 1304**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1006, relating to appropriations, was taken up by Representative Tate.

On motion of Representative Tate, **HCS HB 1006** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hoppe	Hosmer	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Scott	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 005

Elliott	Gross	Hohulin	Lograsso	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland	Goward	Hickey	Jacob	Reynolds
Ribaudo	Schwab	Secrest	Steen	Thompson 37

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Daniels (41) moved that the vote by which the bill passed be reconsidered.

Representative Crum (112) moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1007, relating to appropriations, was taken up by Representative Tate.

On motion of Representative Tate, **HCS HB 1007** was read the third time and passed by the following vote:

AYES: 139

Alter	Auer	Backer	Barnett 4	Bartelsmeyer
Bennett 15	Bland	Boatright	Bonner	Boucher
Bray	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47

Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Scott	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Ward	Whiteside	Wieland	Wiggins
Williams 121	Witt	Wooten	Mr. Speaker	

NOES: 012

Akin	Ballard	Broach	Elliott	Hall
Hohulin	Lograsso	Loudon	Marshall 133	O'Neill
Wannenmacher	Williams 159			

PRESENT: 001

Barry

ABSENT WITH LEAVE: 009

Copeland	Goward	Hickey	Jacob	Long
Ribaudo	Schwab	Secrest	Steen	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Fiebelman, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1008, relating to appropriations, was taken up by Representative Franklin.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1008, Page 6, Section 8.095, Line 14, by inserting after the figure "208,100" the letter "E".

On motion of Representative Franklin, House Amendment No. 1 was adopted.

On motion of Representative Franklin, **HCS HB 1008, as amended,** was adopted.

On motion of Representative Franklin, **HCS HB 1008, as amended,** was ordered perfected and printed.

HCS HB 1009, relating to appropriations, was taken up by Representative Troupe.

Representative Troupe offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1009, Page 2, Section 9.015, Lines 5 and 6, by deleting all of said lines; and further amend said bill, page 11, Section 9.420, lines 4 and 5 by deleting all of said lines and inserting in lieu thereof the following:

"Personal Service.....$ 160,282

Personal and/or Expense and Equipment..... 345,317

From General Revenue Fund (Not to exceed 22 F.T.E.).....$ 505,599"

and further amend said bill, Page 11, Section 9.425, Lines 9 and 10 by deleting all of said lines and inserting in lieu thereof the following:

"Personal Service.....$ 41,231

Personal Service and/or Expense and Equipment..... 50,470

From General Revenue Fund (Not to exceed 4 F.T.E.).....$ 91,701"

and further amend said bill, Pages 11 and 12, Section 9.430, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

"Personal Service.....$ 137,575

Personal Service and/or Expense and Equipment..... 272,550

From General Revenue Fund (Not to exceed 18 F.T.E.).....$ 410,125"

and further amend said bill, Page 12, Section 9.435, Lines 4 and 5, by deleting all of said lines and inserting in lieu thereof the following:

"Personal Service.....$ 71,887

Personal Service and/or Expense and Equipment..... 302,403

From General Revenue Fund (Not to exceed 16 F.T.E.).....$ 374,290"

On motion of Representative Troupe, House Amendment No. 1 was adopted.

On motion of Representative Troupe, **HCS HB 1009, as amended,** was adopted.

On motion of Representative Troupe, **HCS HB 1009, as amended,** was ordered perfected and printed.

HCS HB 1010, relating to appropriations, was taken up by Representative Carter.

Representative Carter offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1010, Page 32, Section 10.765, Line 4; by deleting the figure "$353,698" and inserting in lieu thereof the figure "$246,849"

On motion of Representative Carter, House Amendment No. 1 was adopted.

Representative Lumpe offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1010, Pages 24 and 25, Section 10.640, Line 17 by deleting the words "at private physicians' " and by deleting lines 18 through 26.

And further amend said bill, by deleting on page 28, Section 10.695, line 3 the words "at private physicians' " and by deleting lines 4 through 12.

Representative Witt offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1010, Page 24 and 25, Section 10.640, Line 17 by deleting "at private physicians'" and by deleting lines 18 through 26 and inserting in lieu thereof the following: ", provided, however, that none of the expenditures made from this appropriation for family planning services shall be used to perform or actively promote abortion as a method of family planning, and further provided that none of these funds may be used for administrative purposes."

And Further amend said bill, page 28, section 10.695, line 3, by deleting "at private physicians' " and by deleting lines 4 through 12 and inserting in lieu thereof the following: ", provided, however, that none of the expenditures made from this appropriation for family planning services shall be used to perform or actively promote abortion as a method of family planning, and further provided that none of these funds may be used for administrative purposes."

Representative Kelley (47) raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 2 is legislative and cannot be added in the appropriation process.

The Chair ruled the point of order not well taken.

Representative Witt moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 064

Auer	Backer	Bland	Boucher	Bray
Brown	Canuteson	Carter	Clayton	Crump 152
Daniel 42	Daniels 41	Davis	Days	Dougherty
Farmer	Farnen	Fitzwater	Ford	Franklin
Green	Gunn	Hagan-Harrell	Harlan	Heckemeyer
Hosmer	Jacob	Kauffman	Kelly 27	Klumb
Koller	Kreider	Lakin	Lumpe	May 108
Mays 50	McBride	McClelland	McLuckie	Montgomery
Morgan	Murray 135	Ostmann	Pauley	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Tate	Thomason 163	Thompson 37	Troupe	Van Zandt
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 090

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Burton	Champion	Childers	Chrismer	Cierpiot
Cooper	Crum 112	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Fiebelman	Foley	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham

Gratz	Griesheimer	Gross	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Howerton	Kasten	Keeven
Kelley 47	Kissell	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	Mitchell
Murphy	Murray 69	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Overschmidt	Pouche
Pryor	Reynolds	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Sheldon
104				
Stoll	Summers	Surface	Treadway	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland	Goward	Prost	Ribaudo	Secrest
Steen	Ward			

VACANCY: 002

Representative Reynolds offered House Substitute Amendment No. 2 for House Amendment No. 2.

House Substitute Amendment No. 2

for

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1010, Page 24, Section 10.640, Lines 15 to 27 by striking all of said lines and inserting in lieu thereof the following:

"**For funding to local health departments to provide pregnancy testing,**

intensive interaction and follow-up
services.....$664,000

For funding to local health departments to provide alternative to abortion

services for pregnant
women.....$1,800,000."; and

Further amend Page 28, Section 10.695, Lines 3 to 13 by striking all of said lines and inserting in lieu thereof the following:

"**For funding to local health departments to provide alternative to**

abortion services for pregnant women from general revenue.....$2,054,639."

Representative Reynolds moved that House Substitute Amendment No. 2 for House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Broach	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Foley	Foster	Froelker	Gaskill
Graham	Griesheimer	Gross	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hohulin	Howerton
Kasten	Keeven	Kelley 47	Kissell	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	Mitchell	Murphy
Naeger	Nordwald	O'Neill	Oetting	Pouche
Pryor	Reynolds	Richardson	Robirds	Ross
Sallee	Schwab	Scott	Summers	Surface
Treadway	Vogel	Wannenmacher	Wieland	Wooten

NOES: 081

Auer	Backer	Bland	Bonner	Boucher
Bray	Brown	Canuteson	Carter	Clayton
Crump 152	Daniel 42	Daniels 41	Davis	Days
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Ford	Franklin	Gibbons	Gratz	Green
Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hendrickson
Hickey	Hoppe	Jacob	Kauffman	Kelly 27
Klumb	Koller	Kreider	Lakin	Leake
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murray 69	Murray 135	O'Toole	Ostmann	Overschmidt
Pauley	Prost	Ridgeway	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Tate	Thomason 163	Thompson 37	Troupe
Van Zandt	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

PRESENT: 001

O'Connor

ABSENT WITH LEAVE: 009

Copeland	Garnett	Goward	Hosmer	Ribaudo
Secrest	Steen	Ward	Whiteside	

VACANCY: 002

House Amendment No. 2 was withdrawn.

Representative Hohulin offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No.1010, Page 1, Section 10.005, Line 4, by deleting the figure $5,075,210 and replacing with the figure 5,063,210

and further amend said bill, page 2, section 10.005, line 6, by deleting the figure 7,089,747 and replacing with the figure 7,076,747

and further amend said bill by refiguring totals accordingly

Representative Hohulin moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 072

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Crump 152	Elliott	Enz	Evans
Fiebelman	Foley	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham	Griesheimer	Hall
Hand	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hohulin	Howerton	Keeven	Koller
Legan	Levin	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	May 108	Mitchell
Montgomery	Murray 135	Nordwald	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Pryor	Richardson
Ridgeway	Robirds	Sallee	Schwab	Scott
Shields	Sombart	Summers	Surface	Treadway
Wannenmacher	Wieland			

NOES: 075

Backer	Barry	Bland	Bonner	Boucher
Bray	Canuteson	Carter	Clayton	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty

Farmer	Farnen	Fitzwater	Ford	Gratz
Gross	Gunn	Hagan-Harrell	Harlan	Heckemeyer
Hoppe	Hosmer	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Kreider
Lakin	Luetkenhaus	Lumpe	Marshall 26	Mays 50
McBride	McClelland	McLuckie	Morgan	Murphy
Murray 69	Naeger	O'Connor	O'Neill	Pauley
Prost	Reynolds	Rizzo	Ross	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Thompson 37	Troupe	Van Zandt	Vogel
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer	Copeland	Edwards-Pavia	Garnett	Goward
Green	Leake	Liese	Ribaudo	Secrest
Steen	Ward	Whiteside	Witt	

VACANCY: 002

On motion of Representative Carter, **HCS HB 1010, as amended,** was adopted.

On motion of Representative Carter, **HCS HB 1010, as amended,** was ordered perfected and printed.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 918 (CONSENT)**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the Committee of origin to place said bill on the House Consent Calendar for Third Reading and Final Passage.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1166 (CONSENT)**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the Committee of origin to place said bill on the House Consent Calendar for Third Reading and Final Passage.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1282 (CONSENT)**, begs leave to report that it **be returned to the committee of origin.**

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 907 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1215**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1312**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1445**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1371, HB 1296, HB 1502, HB 1068 and HB 1425**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 902**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment Nos. 1 and 2.**

House Committee Amendment No. 1

AMEND House Bill No. 902, Page 1, Section 1, Line 6, by inserting after "**in**" the following: "**upper level math and science courses and other**"; and

Further amend said bill, Page 1, Section 1, Line 8, by striking the second occurrence of the word "**and**"; and

Further amend said bill, Page 1, Section 1, Line 8, by inserting after all of said line the following: "**(4) The number of media center resources by women authors or relating to women's accomplishments and contributions in history, science, literature, sports, and other aspects of daily life; and**"; and

Further amend said bill, Page 1, Section 1, Line 9, by striking "**(4)**" and inserting in lieu thereof "**(5)**"; and

Further amend said bill, Page 1, Section 1, Lines 12 and 13, by striking all of said lines and inserting in lieu thereof the following: "**the provisions of this section. The council, in conjunction with the department, shall prepare a gender equity report by November 1, 1997. The council shall submit such gender equity report to**".

House Committee Amendment No. 2

AMEND House Bill No. 902, Page 1, Section 1, Line 9, by inserting after all of said line the following: "**It shall be communicated to each school district that their participation in this survey is completely voluntary**".

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 778**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1184**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1335**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Fees and Salaries, Chairman Marshall (26) reporting:

Mr. Speaker: Your Committee on Fees and Salaries, to which was referred **HB 1532**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Fees and Salaries, to which was referred **HB 1538**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 856**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 912 and HB 1108**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1562**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 914**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 958**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 990**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1143**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Science, Technology and Critical Issues, Chairman Smith reporting:

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **HB 1578**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 876**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 922**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 922, Page 5, Section 3, Line 35, by inserting after said line the following:

"5. If a dealer is forced out of business because of non-renewal of a contract or franchise, the manufacturer shall purchase back from such dealer the unused inventory purchased from the manufacturer at invoice cost."

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1503**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1511**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 858 - Public Health and Safety

SB 876 - Governmental Organization and Review

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1626, introduced by Representative Lumpe, relating to the powers of certain city councils.

HB 1627, introduced by Representatives Ridgeway, Lograsso, Canuteson, et al, relating to victims of crimes.

MESSAGES FROM THE GOVERNOR

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

88TH GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI:

Herewith I return to you **House Bill No. 846** entitled:

"AN ACT"

To repeal sections 105.483 and 105.487, RSMo 1994, relating to public officers and employees, and to enact in lieu thereof two new sections relating to the same subject, with an emergency clause.

On March 13, 1996, I approved said House Bill No. 846.

Respectfully submitted,

/s/ Mel Carnahan

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

88TH GENERAL ASSEMBLY

FIRST REGULAR SESSION

STATE OF MISSOURI:

Herewith I return to you **Conference Committee Substitute for Senate Substitute No. 2 for Senate Substitute for House Bill No. 1047** entitled:

"AN ACT"

To repeal sections 301.150, 302.301, 304.011, 304.015, 304.016, 304.017, 304.019, 304.023, 304.024, 304.026, 304.044, 304.075, 304.140, 304.150, 304.160, 304.220, 304.250, 304.271, 304.281, 304.301,304.341, 304.351, 307.010, 307.040, 307.045, 307.055, 307.060, 307.065, 307.070, 307.075, 307.080,307.085, 307.090, 307.095, 307.100, 307.105, 307.110, 307.115, 307.122, 307.125, 307.127, 307.155, 307.170, 307.171, 307.195, 307.350, 307.366, 307.380, 544.216, 544.665 and 575.150, RSMo 1994, and sections 302.020, 304.009, 304.010 and 304.022, RSMo Supp. 1995, relating to penalties for violation of motor vehicle laws, and to enact in lieu thereof fifty-four new sections relating to the same subject, with penalty provisions and with an emergency clause for certain sections.

On March 13, 1996, I approved said Conference Committee Substitute for Senate Substitute No. 2 for Senate Substitute for House Bill No. 1047.

Respectfully submitted,

/s/ Mel Carnahan

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, March 19, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Ninth Day, Thursday, March 7, 1996, pages 4 and 5, roll call, by showing Representative Boatright voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representative Kauffman voting "aye" rather than "absent with leave".

Page 6, roll call, by showing Representative Murray (135) voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representative Boatright voting "aye" rather than "absent with leave".

Page 10, roll call, by showing Representative Bennett (15) voting "aye" rather than "absent with leave".

Page 11, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

Page 15, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 16, roll call, by showing Representative McClelland voting "aye" rather than "absent with leave".

Page 17, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 19 and 20, roll call, by showing Representative Hosmer voting "present" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Tuesday, March 19, 1996, 8:30 am. Hearing Room 9. Possible executive session.

To be considered - HB 1020

BUDGET

Tuesday, March 19, 1996. Hearing Room 9 upon morning adjournment. Possible executive session.

To be considered - HB 1020

Forty-first Day-Monday, March 18, 1996

CHILDREN, YOUTH, AND FAMILIES

Wednesday, March 20, 1996, 8:00 am. Hearing Room 8. Executive Session

To be considered - SB 569, SB 763, SB 533, SB 728

CONSUMER PROTECTION

Tuesday, March 19, 1996, 8:00 pm. Hearing Room 1. Executive session may follow.

To be considered - HB 1164, HB 1598

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 20, 1996, 8:30 am. Hearing Room 7.

To be considered - HCR 9, HB 1563, HB 1589, SB 670

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 19, 1996, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - HB 1349, HB 1480, HB 1506

PROFESSIONAL REGISTRATION & LICENSING

Thursday, March 21, 1996, 9:00 am. Hearing Room 5. Executive session.

To be considered - HB 1585, SB 693

PUBLIC HEALTH AND SAFETY

Tuesday, March 19, 1996. Hearing Room 8 upon morning adjournment.

Executive session may follow. Amended Notice

To be considered - HB 1036, HB 1322, HB 1527, HB 1571

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, March 19, 1996, 8:00 pm. Hearing Room 5

To be considered - SB 582, SB 710, SB 727, SJR 32

TRANSPORTATION

Wednesday, March 20, 1996, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HCR 8, SB 780, SB 792

TRAVEL COMMITTEE

Wednesday, March 20, 1996, 9:00 am. Hearing Room 5. Amended Notice

HOUSE CALENDAR

FORTY-SECOND DAY, TUESDAY, MARCH 19, 1996

HOUSE BILLS FOR SECOND READING

HB 1627 and HB 1628

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

HCS HB 1011 - Troupe

HCS HB 1012 - Green

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HCS HB 945, as amended, with HSA 1 for HA 4 & HA 4, pending - Smith
4 HB 782, HCA 1 - Stokan
5 HCS HB 980 - Farnen
6 HCS HB 1169 & 1271, Williams (121) - Hosmer
7 HCS HB 1099 - Williams (159)
8 HB 1243, HCA 1 - Farmer
9 HCS HB 1207, 1288, 1408 & 1409 - Tate
10 HB 985 - Franklin
11 HB 1368 - May (108)
12 HCS HB 1363 - Mays (50)
13 HB 1113 - Stoll
14 HB 811 - Smith
15 HB 962 - Lumpe
16 HB 1361, HCA 1, Gibbons - Treadway
17 HCS HB 1372 - Mays (50)
18 HCS HB 1174 & 1309 - May (108)
19 HCS HB 1159, 842 & 799 - Jacob
20 HB 908, HCA 1 Thomason (163) - Ross
21 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
22 HB 852, HCA 1 - Canuteson
23 HCS HB 999 - Treadway
24 HCS HB 1186 - Hoppe
25 HCS HB 1237 - Rizzo
26 HB 1241 - Witt
27 HCS HB 1185 - McClelland
28 HB 839 - Luetkenhaus
29 HB 1411 - Loudon
30 HCS HB 1149, 1150 & 1240 - Jacob
31 HCS HB 894 - Bray
32 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
33 HB 1380 - Lumpe
34 HCS HB 1557 & 1489 - Days
35 HCS HB 987, 1155, 1158 & 1219 - Jacob
36 HCS HB 1403 - Dougherty
37 HB 1247 - Shelton (57)
38 HCS HB 1588 - Overschmidt
39 HB 944, HCA 1 - Smith
40 HB 1154 - Murray (69)
41 HCS HB 1540 - Green
42 HB 993 - Williams (121)
43 HB 854 - Bland

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 18, 1996)

1 HB 1260 - Lumpe
2 HB 1564 - O'Toole
3 HB 1504 - Schwab
4 HB 1044 - Montgomery
5 HB 1223 - Marshall (133)
6 HB 819 - Backer
7 HB 1286 - Pryor

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1008 - Franklin

HCS HB 1009 - Troupe

HCS HB 1010 - Carter

HOUSE BILLS FOR THIRD READING

HCS HB 907 & 910 - Treadway

HCS HB 800, 812, 817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1295 - Gunn
2 HB 1101 - Franklin
3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans
6 HB 1168 - Crum (112)
7 HB 956 - Van Zandt

HB 1117 - Green
HB 1523 - Linton
HB 1055 - Overschmidt
HB 1537 - Treadway
HB 1359 - Green
HB 1566 - Richardson
HB 1428 - Leake
HB 1473, E.C. - Shear (83)
HB 1110 - Treadway
HB 1076 - Childers
HB 1166 - McClelland
HB 1420 - Sears (1)
HB 1305 - Gratz
HB 1440 - Backer
HB 1315 - Schwab
HB 918 - Hosmer
HB 1477 - Farnen
HB 1131 - Kreider
HB 1369 - Thomason (163)
HB 1431 - Shields
HB 1304 - Hosmer
HB 1533 - Ostmann

SENATE BILLS FOR THIRD READING

SCS SB 735, HCA 1,E.C. - Liese

HCS SS SB 687, E.C. - Lumpe

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 226, (3-7-96, pgs. 25 & 26) - Dougherty

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House Journal

Second Regular Session, 88th General Assembly

FORTY-SECOND DAY, Tuesday, March 19, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"So do not worry about tomorrow, for tomorrow will bring worries of its own. Today's trouble is enough for today." (Matthew 6:34, NRSV)

O God of ages past and future, Jesus of Nazareth told us not to worry about tomorrow, that today's trouble is enough for today. And yet it is the business of this House to look toward tomorrow -- the tomorrows that make up the future of this state and its citizens. Give us your help and guidance in looking at the future and the problems facing our state and our nation each day -- the problem of lying, which is called propaganda; the problem of selfishness, which is called self-interest; the problem of greed, which is often called profit; the problem of materialism, the hook which is baited with security.

Hear our prayers, God, for an understanding which is better than political wisdom, so that our eyes may be opened to the problems as they are -- and that our hearts will be open to look for solutions that will better the lives of those we serve. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Travis Young, Mackenzie Daly, Andrew Hoppe, Cary Felzien, Stephanie A. Stineman, Jason Ray Piburn, Mark Andrew Guy, Emily IntlVeld, Leslie Reynolds, Lori Walker, Sylvia Biggs, Sabrina Maslin, Megan Honerkamp, Christy Porges, Rachael Morris, Adrianne Salas, Sasha Kind, Jessica Bradford, Derrick Lyons, Spencer Lyons, Richie Hess, Joyce Briscoe, Rachael Grime and Patrick Foster.

The Journal of the forty-first day was approved as corrected.

RESOLUTIONS

Representative Lumpe offered House Resolution No. 489, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Nordwald offered House Resolution Nos. 490 and 491, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 492, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution No. 493, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1626 and **HB 1627** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1008, HCS HB 1009 and HCS HB 1010**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 918 and HB 1166**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Speaker Gaw assumed the Chair.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 1402, relating to Certificate of Need, was taken up and placed back on the Informal Calendar.

HB 832, as amended, relating to veterans cemeteries, was taken up and placed back on the Informal Calendar.

THIRD READING OF HOUSE BILL

HCS HBs 907 and 910, relating to funeral directors, was taken up by Representative Treadway.

On motion of Representative Treadway, **HCS HBs 907 and 910** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Copeland	Daniel 42	Goward	Ribaudo	Sallee
Scott	Skaggs	Steen	Thompson 37	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Lumpe, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1008, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **HCS HB 1008** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 002

Hohulin	Loudon

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 007

Copeland	Goward	Howerton	Murray 135	Ribaudo
Ridgeway	Steen			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Days (71) moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1009, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 1009** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 002

Griesheimer	Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland	Goward	Green	Ribaudo	Richardson
Steen	Thompson 37	Wiggins		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Canuteson moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1010, relating to appropriations, was taken up by Representative Carter.

On motion of Representative Carter, **HCS HB 1010** was read the third time and passed by the following vote:

AYES: 120

Auer	Backer	Barnett 4	Bennett 15	Bland
Bonner	Boucher	Bray	Brown	Burton
Canuteson	Carter	Champion	Childers	Clayton
Cooper	Crum 112	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Farmer	Farnen

Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Long	Luetkenhaus	Lumpe	Marshall 26
May 108	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Tate	Thomason 163
Van Zandt	Vogel	Ward	Whiteside	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 033

Akin	Alter	Ballard	Barry	Bartelsmeyer
Boatright	Broach	Chrismer	Cierpiot	Edwards-Pavia
Elliott	Enz	Evans	Gaskill	Hall
Hohulin	Howerton	Linton	Lograsso	Loudon
Marble	Marshall 133	Murphy	Pryor	Reynolds
Richardson	Scott	Secrest	Summers	Surface
Treadway	Wannenmacher	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland	Crump 152	Goward	Mays 50	Ribaudo
Steen	Thompson 37	Troupe		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Shear (83), title to the bill was agreed to.

Representative Morgan moved that the vote by which the bill passed be reconsidered.

Representative Heckemeyer moved that motion lay on the table.

The latter motion prevailed.

SIGNING OF SENATE BILL

All other business of the House was suspended while **SCS SB 540** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

PERFECTION OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1011, relating to appropriations, was taken up by Representative Troupe.

Representative Troupe offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1011; Page 3; Section 11.010; Line 5; by inserting immediately after the words "Division of General Services," the words "Division of Legal Services,"; and further amend said Section; Line 6; by inserting immediately after the words "Services-Administration," the words "Managed Care Enrollment";

and further amend said Bill; Page 6; Section 11.065; Line 3; by deleting the figure "6,535,265" and inserting in lieu thereof the figure "6,262,228"; and further amend said Section; Line 5; by deleting the figure "9,150,053" and inserting in lieu thereof the figure "8,877,016"; and further amend said Section; Line 6; by deleting the figure "18,512,920" and inserting in lieu thereof the figure "18,785,957"; and further amend said Section; Line 8; by

deleting the figure "23,665,730" and inserting in lieu thereof the figure "23,938,767";

and further amend said Bill; Page 8; Section 11.105; Line 5; by deleting the figure "1,170,483" and inserting in lieu thereof the figure "1,170,482"; and further amend said Section; Line 6; by deleting the figure "3,816,370" and inserting in lieu thereof the figure "3,816,369"; and further amend said Section; Line 8; by deleting the figure "3,492,230" and inserting in lieu thereof the figure "3,492,229", and further amend said Section; Line 9; by deleting the figure "9,021,515" and inserting in lieu thereof the figure "9,021,514"; and further amend said Section; Line 11; by inserting immediately thereafter the following:

"For the purpose of funding Claims and Restitution Contractor Payments

Expense and Equipment

From General Revenue Fund.....1 E

From Federal Funds.....1 E";

and further amend said Bill; Page 9; Section 11.125; Line 15; by deleting the figure "34,924,850" and inserting in lieu thereof the figure "38,079,457";

and further amend said Bill; Page 12; Section 11.155; Line 8; by deleting the figure "1,613,000" and inserting in lieu thereof the figure "1,613,600";

and further amend said Bill; Page 20; Section 11.400; Line 5; by deleting the figure "1,030,903" and inserting in lieu thereof the figure "1,030,902";

and further amend said Bill; Page 22; Section 11.435; Line 6; by deleting the figure "29,200,000" and inserting in lieu thereof the figure "29,900,000";

and further amend said Bill; Page 25; Section 11.461; Line 12; by deleting the letters "IGT" and inserting in lieu thereof the words "Intergovernmental Transfer"; and further amend said Section and Line; by deleting the letters "DSH" and inserting in lieu thereof the words "Disproportionate Share Hospital": and further amend said Section; Line 18; by deleting the words "General Revenue Fund" and inserting in lieu thereof the words "Federal Funds"; and further amend said Section; Line 19; by deleting the words "Federal Funds" and inserting in lieu thereof the words "Federal Reimbursement Allowance Fund and Intergovernmental Transfers";

and further amend said Bill; Page 27; Section 11.510; Line 7; by deleting the figure "25,460,000" and inserting in lieu thereof the figure "25,400,000";

and further amend said Bill; Page 27; Section 11.520; Line 7; by deleting the figure "44,900,000" and by inserting in lieu thereof the figure "44,754,000" and by inserting immediately thereafter the following: "From Pharmacy Rebates.....146,000";

and further amend said Bill; Page 30; BILL TOTALS Total; by deleting the figure "4,072,456,789" and inserting in lieu thereof the figure "4,072,456,788"

On motion of Representative Troupe, House Amendment No. 1 was adopted.

On motion of Representative Troupe, **HCS HB 1011, as amended,** was adopted.

On motion of Representative Troupe, **HCS HB 1011, as amended,** was ordered perfected and printed.

HCS HB 1012, relating to appropriations, was taken up by Representatives Franklin and Green.

On motion of Representative Green, **HCS HB 1012** was adopted.

On motion of Representative Green, **HCS HB 1012** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HCS HB 945, as amended, with House Substitute Amendment No. 1 for House Amendment No. 4 and House Amendment No. 4, pending, relating to environmental audit privilege, was again taken up by Representative Smith.

Representative Lograsso moved that House Substitute Amendment No. 1 for House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 064

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Clayton
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Farmer	Farnen	Fitzwater

Foley	Ford	Green	Gunn	Harlan
Hickey	Hoppe	Hosmer	Jacob	Kelly 27
Kissell	Klumb	Kreider	Lakin	Liese
Lograsso	Luetkenhaus	Lumpe	Marshall 26	May 108
McLuckie	Morgan	Murphy	Murray 69	Murray 135
O'Connor	O'Neill	O'Toole	Pauley	Prost
Reynolds	Schilling	Sheldon 104	Shelton 57	Skaggs
Stokan	Stoll	Tate	Treadway	Van Zandt
Wiggins	Williams 121	Witt	Mr. Speaker	

NOES: 087

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Crump 152	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Gratz	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Koller
Leake	Legan	Levin	Linton	Long
Loudon	Marble	Marshall 133	Mays 50	McBride
McClelland	Mitchell	Naeger	Nordwald	Oetting
Ostmann	Overschmidt	Pouche	Pryor	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Sears 1	Secrest
Shields	Smith	Sombart	Summers	Surface
Thomason 163	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland	Goward	Graham	Montgomery	Ribaudo
Shear 83	Steen	Thompson 37	Troupe	Ward

VACANCY: 002

Representative Gunn moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 053

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Clayton
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fitzwater	Foley
Ford	Franklin	Green	Gunn	Harlan
Hickey	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Lakin	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	McLuckie	Morgan	Murray 69
O'Connor	Pauley	Reynolds	Schilling	Shear 83
Shelton 57	Stokan	Stoll	Treadway	Van Zandt
Wiggins	Witt	Mr. Speaker		

NOES: 095

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Crump 152	Edwards-Pavia	Elliott	Enz
Evans	Fiebelman	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Koller	Kreider	Leake	Legan
Levin	Linton	Long	Loudon	Marble
Marshall 133	Mays 50	McBride	McClelland	Mitchell

Murphy	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shields	Skaggs	Smith
Sombart	Summers	Surface	Thomason 163	Vogel
Wannenmacher	Whiteside	Wieland	Williams 159	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 013

Copeland	Goward	Lograsso	Montgomery	O'Neill
O'Toole	Ribaudo	Steen	Tate	Thompson 37
Troupe	Ward	Williams 121		

VACANCY: 002

Representative Ridgeway offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 945, Page 5, by inserting a new section at the end of said bill:

Section____. The provisions of this act shall not apply to any hazardous waste facility or solid waste management area or sanitary landfill as those terms are defined by Chapter 260,

Representative Ridgeway moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 054

Auer	Backer	Barry	Bennett 15	Bland
Bonner	Boucher	Bray	Canuteson	Cierpiot
Daniel 42	Davis	Days	Dougherty	Farmer
Farnen	Fitzwater	Foley	Franklin	Froelker
Green	Gunn	Harlan	Hickey	Hosmer
Jacob	Kelly 27	Kissell	Klumb	Lakin
Liese	Lograsso	Luetkenhaus	Lumpe	May 108
McLuckie	Morgan	Murray 69	O'Connor	O'Toole
Overschmidt	Pauley	Reynolds	Ridgeway	Robirds
Schilling	Sears 1	Shear 83	Stokan	Stoll
Treadway	Van Zandt	Williams 121	Witt	

NOES: 096

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Brown	Burton	Carter
Champion	Childers	Chrismer	Clayton	Cooper
Crum 112	Crump 152	Daniels 41	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Fiebelman	Foster
Garnett	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hohulin	Hoppe	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kreider	Leake	Legan
Levin	Linton	Long	Loudon	Marble
Marshall 26	Marshall 133	Mays 50	McBride	McClelland
Mitchell	Montgomery	Murphy	Murray 135	Naeger
Nordwald	O'Neill	Oetting	Ostmann	Pouche
Pryor	Richardson	Rizzo	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Shelton 57
Shields	Skaggs	Smith	Sombart	Summers
Surface	Tate	Thomason 163	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 159	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Copeland	Ford	Goward	Koller	Prost
Ribaudo	Sheldon 104	Steen	Thompson 37	Troupe

Ward

VACANCY: 002

HCS HB 945, as amended, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Emma E. Salzman, Julia A. Salzman, Kendra Davis and Mikel Amato.

RESOLUTIONS

Representative Surface offered House Resolution No. 494, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan, et al, offered House Resolution No. 495, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Thompson (37) offered House Resolution No. 496, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gaw and Marshall (26) offered House Resolution No. 497, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gaw and Wiggins offered House Resolution No. 498, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 499, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representatives Marble and Surface offered House Concurrent Resolution No. 11.

PERFECTION OF HOUSE BILLS

HCS HB 945, as amended, relating to environmental audit privilege, was again taken up by Representative Smith.

Representative Kelly (27) offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 945, Page 5, Section 5, Line 22, by deleting all of said line and inserting in lieu thereof the following:

"**(4) Harm to human health, property, or the environment was caused by the**"

Representative Richardson suggested the absence of a quorum.

The following roll call indicated a quorum present.

AYES: 000

NOES: 000

PRESENT: 135

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley

Foster	Franklin	Garnett	Gaskill	Gibbons
Graham	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Lumpe	Marble	Marshall 26
May 108	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Secrest	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Sombart	Stokan	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

ABSENT WITH LEAVE: 026

Bland	Copeland	Crump 152	Ford	Froelker
Goward	Gratz	Hall	Hegeman	Jacob
Kelley 47	Long	Loudon	Luetkenhaus	Marshall 133
Mays 50	Ribaudo	Ridgeway	Sallee	Sears 1
Shields	Steen	Stoll	Thompson 37	Ward

Whiteside

VACANCY: 002

Representative Smith offered House Substitute Amendment No. 1 for House Amendment No. 6.

House Substitute Amendment No. 1
for
House Amendment No. 6

AMEND House Committee Substitute for House Bill No. 945, Page 5, Section 5, Line 22, by replacing the same with the following:

"Serious harm to human health, property or the environment was caused by the..."

On motion of Representative Smith, House Substitute Amendment No. 1 for House Amendment No. 6 was adopted by the following vote:

AYES: 091

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Griesheimer	Gross
Hagan-Harrell	Hand	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Koller	Kreider
Leake	Legan	Levin	Linton	Long
Marble	Marshall 133	Mays 50	McBride	McClelland
Mitchell	Montgomery	Murphy	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shields
Smith	Sombart	Summers	Surface	Thomason 163
Vogel	Wannenmacher	Whiteside	Wieland	Williams 159

Wooten

NOES: 054

Auer	Backer	Barry	Bonner	Boucher
Bray	Canuteson	Carter	Clayton	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Farmer	Farnen	Fitzwater	Foley	Franklin
Green	Gunn	Harlan	Heckemeyer	Hickey
Hoppe	Kelly 27	Klumb	Lakin	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	McLuckie
Morgan	Murray 69	O'Connor	O'Neill	O'Toole
Reynolds	Schilling	Shear 83	Shelton 57	Skaggs
Stokan	Tate	Treadway	Troupe	Van Zandt
Wiggins	Williams 121	Witt	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Copeland	Crump 152	Ford	Goward
Hall	Hosmer	Jacob	Lograsso	Loudon
Ribaudo	Ridgeway	Steen	Stoll	Thompson 37

Ward

VACANCY: 002

Representative May (108) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bill No. 945, Page 2, Section 2.1, Line 2, by deleting the words "civil, criminal or" from said line;

and further amend said bill, Page 3, Section 4.3, Line 16, by deleting the words "civil, criminal or";

and further amend said bill, Page 4, Section 5, Line 3, by deleting the words ", civil or criminal" from said line

Representative May (108) moved that House Amendment No. 7 be adopted.

Which motion was defeated by the following vote:

AYES: 062

Auer	Backer	Barry	Bonner	Boucher
Bray	Canuteson	Clayton	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Farmer
Farnen	Fitzwater	Foley	Franklin	Green
Gunn	Hagan-Harrell	Harlan	Hickey	Hoppe
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Lakin	Liese	Lograsso	Luetkenhaus	Lumpe
May 108	McBride	McLuckie	Morgan	Murphy
Murray 69	O'Connor	O'Neill	O'Toole	Pauley
Prost	Reynolds	Ridgeway	Rizzo	Schilling
Shear 83	Sheldon 104	Stokan	Stoll	Tate
Treadway	Troupe	Van Zandt	Wiggins	Williams 121
Witt	Mr. Speaker			

NOES: 085

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Carter	Champion	Childers	Chrismer	Cierpiot
Cooper	Crum 112	Edwards-Pavia	Elliott	Enz
Evans	Fiebelman	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Koller	Leake
Legan	Levin	Long	Marble	Marshall 26

Marshall 133	Mays 50	McClelland	Mitchell	Montgomery
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Overschmidt	Pouche	Pryor	Richardson	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Shelton 57	Shields	Smith
Sombart	Summers	Surface	Thomason 163	Vogel
Wannenmacher	Whiteside	Wieland	Williams 159	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 014

Bland	Copeland	Crump 152	Ford	Goward
Hall	Kreider	Linton	Loudon	Ribaudo
Skaggs	Steen	Thompson 37	Ward	

VACANCY: 002

Representative Tate offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bill No. 945, Page 5, by inserting after Section 7, Line 6, the following new section:

Section **8**. The provisions of this act shall not apply to any Class IA Agricultural Swine Facility CAFO (Confined Animal Feeding Operation)

Representative Tate moved that House Amendment No. 8 be adopted.

Which motion was defeated.

On motion of Representative Smith, **HCS HB 945, as amended,** was adopted by the following vote:

AYES: 090

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Broach	Brown
Burton	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Edwards-Pavia	Elliott
Enz	Evans	Fiebelman	Foster	Garnett
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Hand	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Koller	Kreider	Leake
Legan	Levin	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	Mays 50	McBride
McClelland	Mitchell	Montgomery	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shields	Smith
Sombart	Summers	Surface	Thomason 163	Vogel
Wannenmacher	Whiteside	Wieland	Williams 159	Wooten

NOES: 062

Auer	Backer	Barry	Boucher	Bray
Canuteson	Clayton	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Farmer
Farnen	Fitzwater	Foley	Franklin	Froelker
Green	Gunn	Hagan-Harrell	Harlan	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kelly 27
Kissell	Klumb	Lakin	Liese	Luetkenhaus
Lumpe	Marshall 26	May 108	McLuckie	Morgan
Murphy	Murray 69	O'Connor	O'Neill	O'Toole
Reynolds	Rizzo	Scheve	Schilling	Shear 83
Shelton 57	Skaggs	Stokan	Stoll	Tate
Treadway	Troupe	Van Zandt	Wiggins	Williams 121
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Copeland	Ford	Goward	Hall
Ribaudo	Steen	Thompson 37	Ward	

VACANCY: 002

On motion of Representative Smith, **HCS HB 945, as amended,** was ordered perfected and printed by the following vote:

AYES: 087

Akin	Alter	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Broach	Brown	Burton	Carter
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Foster	Garnett	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Hand
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Koller	Kreider	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	Mays 50	McClelland	Mitchell	Montgomery
Murphy	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Robirds	Ross	Sallee
Schwab	Scott	Sears 1	Secrest	Sheldon 104
Shields	Smith	Sombart	Summers	Surface
Thomason 163	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

NOES: 064

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Canuteson	Clayton	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fitzwater	Foley
Franklin	Froelker	Green	Gunn	Hagan-Harrell
Harlan	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kelly 27	Kissell	Klumb	Lakin
Liese	Luetkenhaus	Lumpe	Marshall 26	May 108
McBride	McLuckie	Morgan	Murray 69	O'Connor
O'Neill	O'Toole	Reynolds	Ridgeway	Rizzo
Scheve	Schilling	Shear 83	Shelton 57	Skaggs
Stokan	Stoll	Treadway	Troupe	Van Zandt
Wiggins	Williams 121	Witt	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard	Copeland	Ford	Goward	Hall
Ribaudo	Steen	Tate	Thompson 37	Ward

VACANCY: 002

HB 782, with House Committee Amendment No. 1, relating to motor vehicle drivers, was taken up by Representative Stokan.

On motion of Representative Stokan, House Committee Amendment No. 1 was adopted.

Representative Stokan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 782, Page 1, In the Title, Line 2, by striking out the following: "sections 302.291 and 302.292" and inserting in lieu thereof the following: "section 302.291"; and

Further amend said bill, Page 1, Section A, Line 1, by striking out the following: "Sections 302.291 and 302.292, RSMo 1994, are" and inserting in lieu thereof the following: "Section 302.291, RSMo 1994, is"; and

Further amend said bill, Page 1, Section A, Line 2, by striking out the following: "302.292 and 1" and inserting in

lieu thereof the following: "1 and 2"; and

Further amend said bill, Pages 2 and 3, Section 302.292, Lines 1 to 11, by deleting all of said section; and

Further amend said bill, Page 3, Section 1, Line 10, by inserting immediately after said line the following:

"**Section 2. 1. The director of revenue may consult with the division of aging of the department of social services, who shall so consult with the director, to obtain advice regarding medical criteria and to examine, review and make recommendations in regard to individual driver licensing cases involving medical impairments.**

On motion of Representative Stokan, House Amendment No. 1 was adopted.

Representative Kreider offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 782, Page 1, In the Title, Line 2, by deleting the word and number "and 302.292" and inserting in lieu thereof the following: ", 302.292 and 304.050"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following: "Section A. Sections 302.291, 302.292 and 304.050, RSMo 1994, are repealed and four new"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "302.292" the following: ", 304.050"; and

Further amend said bill, Page 3, Section 302.292, Line 11, by inserting after all of said line the following:

"304.050. 1. The driver of a vehicle [upon a highway]**,** upon meeting or overtaking from either direction any school bus which has stopped [on the highway] **or which is parked anywhere, including on a school parking lot,** for the purpose of receiving or discharging any school children and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed.

2. Every bus used for the transportation of school children shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than eight inches in height. Each bus shall have lettered on the rear in plain and distinct type the following: "State Law: Stop while bus is loading and unloading". Each school bus subject to the provisions of sections 304.050 to 304.070 shall be equipped with a mechanical and electrical signaling device approved by the state board of education, which will display a signal plainly visible from the front and rear and indicating intention to stop.

3. The driver of a school bus in the process of loading or unloading students [upon a street or highway] shall activate the mechanical and electrical signaling devices, in the manner prescribed by the state board of education, to communicate to drivers of other vehicles that students are loading or unloading. No driver of a school bus shall take on or discharge passengers at any location upon a highway consisting of four or more lanes of traffic, whether or not divided by a median or barrier, in such manner as to require the passengers to cross more than two lanes of traffic; nor shall [he] **the driver** take on or discharge passengers while the vehicle is upon the road or highway proper unless the vehicle so stopped is plainly visible for at least three hundred feet in each direction to drivers of other vehicles upon the highway and then only for such time as is actually necessary to take on and discharge passengers.

4. The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or overtaking a school bus which is on a different roadway, which is proceeding in the opposite direction on a highway containing four or more lanes of traffic, or which is stopped in a loading zone constituting a part of, or adjacent to, a limited or controlled access highway at a point where pedestrians are not permitted to cross the roadway.

5. The driver of any school bus driving upon the highways of this state after loading or unloading school children, should remain stopped if the bus is followed by three or more vehicles, until such vehicles have been permitted to pass the school bus, if the conditions prevailing make it safe to do so.

6. If any vehicle is witnessed by a peace officer or the driver of a school bus to have violated the provisions of this section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation. Notwithstanding the provisions in section 301.130, RSMo, every school bus shall be required to have two license plates. In the event that charges are filed against multiple owners of a motor vehicle, only one of the owners may be convicted and court costs may be assessed against only one of the owners. If the vehicle which is involved in the violation is registered in the name of a rental or leasing company and the vehicle is rented or leased to another person at the time of the violation, the rental or leasing company may rebut the presumption by providing the peace officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time of the violation. No

prosecuting authority may bring any legal proceedings against a rental or leasing company under this section unless prior written notice of the violation has been given to that rental or leasing company by registered mail at the address appearing on the registration and the rental or leasing company has failed to provide the rental or lease agreement copy within fifteen days of receipt of such notice.".

Representative Lumpe raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order untimely.

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Bill No. 782, Page 1, In the Title, Line 2, by deleting the word and number "and 302.292" and inserting in lieu thereof the following: ", 302.292 and 304.050"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following: "Section A. Sections 302.291, 302.292 and 304.050, RSMo 1994, are repealed and four new"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "302.292" the following: ", 304.050"; and

Further amend said bill, Page 3, Section 302.292, Line 11, by inserting after all of said line the following:

"304.050. 1. The driver of a vehicle [upon a highway]**,** upon meeting or overtaking from either direction any school bus which has stopped [on the highway] for the purpose of receiving or discharging any school children and whose driver has in the manner prescribed by law given the signal to stop, shall stop the vehicle before reaching such school bus and shall not proceed until such school bus resumes motion, or until signaled by its driver to proceed.

2. Every bus used for the transportation of school children shall bear upon the front and rear thereon a plainly visible sign containing the words "school bus" in letters not less than eight inches in height. Each bus shall have lettered on the rear in plain and distinct type the following: "State Law: Stop while bus is loading and unloading". Each school bus subject to the provisions of sections 304.050 to 304.070 shall be equipped with a mechanical and electrical signaling device approved by the state board of education, which will display a signal plainly visible from the front and rear and indicating intention to stop.

3. The driver of a school bus in the process of loading or unloading students [upon a street or highway] shall activate the mechanical and electrical signaling devices, in the manner prescribed by the state board of education, to communicate to drivers of other vehicles that students are loading or unloading. No driver of a school bus shall take on or discharge passengers at any location upon a highway consisting of four or more lanes of traffic, whether or not divided by a median or barrier, in such manner as to require the passengers to cross more than two lanes of traffic; nor shall [he] **the driver** take on or discharge passengers while the vehicle is upon the road or highway proper unless the vehicle so stopped is plainly visible for at least three hundred feet in each direction to drivers of other vehicles upon the highway and then only for such time as is actually necessary to take on and discharge passengers.

4. The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or overtaking a school bus which is on a different roadway, which is proceeding in the opposite direction on a highway containing four or more lanes of traffic, or which is stopped in a loading zone constituting a part of, or adjacent to, a limited or controlled access highway at a point where pedestrians are not permitted to cross the roadway.

5. The driver of any school bus driving upon the highways of this state after loading or unloading school children, should remain stopped if the bus is followed by three or more vehicles, until such vehicles have been permitted to pass the school bus, if the conditions prevailing make it safe to do so.

6. If any vehicle is witnessed by a peace officer or the driver of a school bus to have violated the provisions of this section and the identity of the operator is not otherwise apparent, it shall be a rebuttable presumption that the person in whose name such vehicle is registered committed the violation. Notwithstanding the provisions in section 301.130, RSMo, every school bus shall be required to have two license plates. In the event that charges are filed against multiple owners of a motor vehicle, only one of the owners may be convicted and court costs may be assessed against only one of the owners. If the vehicle which is involved in the violation is registered in the name of a rental or leasing company and the vehicle is rented or leased to another person at the time of the violation, the rental or leasing company may rebut the presumption by providing the peace officer or prosecuting authority with a copy of the rental or lease agreement in effect at the time of the violation. No prosecuting authority may bring any legal proceedings against a rental or leasing company under this section unless prior written notice of the violation has been given to that rental or leasing company by registered mail

at the address appearing on the registration and the rental or leasing company has failed to provide the rental or lease agreement copy within fifteen days of receipt of such notice.".

On motion of Representative Hosmer, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted.

Representative Whiteside offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No.782, Page 1, Section 302.291, Line 14, by removing the following words from Line 14 "hearsay evidence in addition to"

Representative Wannenmacher offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1 for House Amendment No. 3 was withdrawn.

Representative Scheve offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1

for

House Amendment No. 3

AMEND House Bill No. 782, Page 1, Section 302.291, Lines 12-14, by striking all of the bold words following the word "physician".

On motion of Representative Scheve, House Substitute Amendment No. 1 for House Amendment No. 3 was adopted.

Representative Wannenmacher offered House Amendment No. 4.

House Amendment No. 4

AMEND House Bill No.782, Page 1, Section 2, Lines 11 and 12, by removing said language: [, but is not limited to,]

On motion of Representative Wannenmacher, House Amendment No. 4 was adopted.

Representative Bland offered House Amendment No. 5.

House Amendment No. 5

AMEND House Bill No. 782, Page 1, In the Title, Line 2, by striking out the word and numeral "and 302.292" and inserting in lieu thereof the following: ", 302.292 and 302.309"; and

Further amend said bill, Page 1, In the Title, Line 3, by striking out the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 1, by striking out the word and numeral "and 302.292" and inserting in lieu thereof the following: ", 302.292 and 302.309"; and

Further amend said bill, Page 1, Section A, Line 1, by striking out the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the numeral "302.292" the following: ", 302.309"; and

Further amend said bill, Page 3, Section 302.292, Line 11, by inserting immediately thereafter the following:

"302.309. 1. Whenever any license is suspended [under] **pursuant to** sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303, RSMo.

2. Any operator whose license is revoked [under these] **pursuant to** sections **302.302 to 302.309**, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. [(1)] All circuit courts shall have jurisdiction to hear applications for hardship driving privileges, and such applications may be heard and determined by either circuit or associate circuit judges.

[(2)] **4.** When any court of record having jurisdiction finds that an operator is required to operate a motor vehicle in connection with any of the following:

[(a)] **(1)** A business, occupation, or employment;

[(b)] **(2)** Seeking medical treatment for [himself] **such operator**;

[(c)] **(3)** Attending school or other institution of higher education;

[(d)] **(4)** Attending alcohol or drug treatment programs; or

[(e)] **(5)** Any other circumstance the court finds would create an undue hardship on the operator;

The court may grant such limited driving privilege as the circumstances of the case justify if the court finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the court order the driver shall not be guilty of operating a motor vehicle without a valid license.

[(3)] **5.** An operator may make application to the proper court in the county in which such operator resides or in the county in which is located [his] **the operator's** principal place of business or employment. Any application for a hardship driving privilege shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privileges, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any application by such operator for a hardship driving privilege shall also be accompanied by proof of financial responsibility as required by chapter 303, RSMo. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, RSMo, but if proof of financial responsibility does not accompany the application, the court in its discretion may grant the hardship driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303, RSMo, for that vehicle, and the court's order [must] **shall** state such restriction. When operating such vehicle under such restriction the person [must] **shall** carry proof that the owner has complied with chapter 303, RSMo, for that vehicle.

[(4)] **6.** The court order granting the hardship driving privilege shall indicate the termination date of the order, which shall be not later than the end of the period of suspension or revocation. A copy of the order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by [him] **such driver** whenever [he] **the driver** operates a motor vehicle. A conviction which results in the assessment of points under the provisions of section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle under the authority of a court order terminates the order, and the court in which the conviction occurs shall immediately so notify the driver, the director and the court which granted the order.

[(5)] **7.** Except as provided in [subdivision (6)] **subsections 8 and 9** of this [subsection] **section**, no person is eligible to receive hardship driving privilege whose license has been suspended or revoked for the following reasons **or who meets the following criteria**:

[(a) Who has been convicted] **(1) A conviction** of violating the provisions of section 577.010 or 577.012, RSMo, or any similar provision of any federal, state, municipal or county law, where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed under this chapter;

[(b) Who has been convicted] **(2) A conviction** of any felony in the commission of which a0
motor vehicle was used;

[(c) Who at the time he applies for such hardship driving privilege would not be eligible] **(3) Ineligibility** for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

[(d)] **(4)** Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, RSMo, or having left the scene of an accident as provided in section 577.060, RSMo;

[(e) Who at the time he applies for a hardship driving privilege has previously been granted such a privilege within the period of five years next preceding such application;

(f) Whose license has been revoked] **(5) Due to a revocation** for the first time for failure to submit to a chemical test pursuant to section 577.041, RSMo, or [for] **due to** a refusal to submit to a chemical test in any other state, [and who] **if such person** has not completed the first ninety days of such revocation;

[(g) **(f)** Who has violated] **(6) A violation** more than once **of** the provisions of section 577.041, RSMo, or a similar implied consent law of any other state;

[(h) Who has had his] **(7) Disqualification of a** commercial driver's license [disqualified] under sections 302.700 to 302.780[.]**;** however, nothing in this subsection shall prevent a person holding a commercial driver's license who is suspended or revoked as a result of an action occurring while not driving a commercial motor vehicle or driving for pay, but while driving in an individual capacity as an operator of a personal vehicle from applying for hardship driving privileges to operate a commercial vehicle, if otherwise eligible for such hardship privilege; or

[(i) **(h)** Who has received] **(8) Due to** a suspension under subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided [he] **the person** is not otherwise ineligible for

hardship driving privileges; or [who has received] **due to** a revocation under subsection 2 of section 302.525 [and who] **if such person** has not completed such revocation.

[(6) (a)] **8.** A circuit court may, in the manner prescribed in this subsection, allow a person who has had [his] **such person's** license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for limited driving privileges under this subsection if such person has served at least three years of such disqualification or revocation. Such [a] person shall present evidence satisfactory to the court that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that [his] **such person's** habits and conduct show that the person no longer poses a threat to the public safety of this state[;]**.**

[(b)] **9.** A circuit court may, in the manner prescribed in [this subsection] **subsections 3 to 9 of this section**, allow a person who has had [his] **such person's** license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years, as prescribed in subdivision (10) of section 302.060, to apply for limited driving privileges under this subsection if such person has served at least two years of such disqualification or revocation. Such [a] person shall present evidence satisfactory to the court that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that [his] **such person's** habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of [his] driving privileges under subdivision (9) of section 302.060 shall not be eligible for limited driving privileges [under the provisions of this subdivision] **pursuant to the provisions of subsection 8 or 9 of this section**.".

Representative Lograsso offered House Amendment No. 1 to House Amendment No. 5.

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 for House Bill No. 782, Page 5, Lines 8 and 9, of said page by deleting the words "or who meets the following criteria".

On motion of Representative Lograsso, House Amendment No. 1 to House Amendment No. 5 was adopted.

On motion of Representative Bland, House Amendment No. 5, as amended, was adopted.

On motion of Representative Stokan, **HB 782, as amended,** was ordered perfected and printed.

HCS HB 980, relating to governing boards, was taken up by Representative Farnen.

Representative Farnen offered **HS HCS HB 980**.

On motion of Representative Farnen, **HS HCS HB 980** was adopted.

On motion of Representative Farnen, **HS HCS HB 980** was ordered perfected and printed.

HCS HBs 1169 and 1271, relating to zero tolerance, was taken up by Representative Williams (121).

Representative Williams (121) offered **HS HCS HBs 1169 and 1271.**

Representative May (108) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 & 1271, Page 40, Section 302.530, Line 3, by inserting immediately after said line the following:

"302.535. 1. Any person aggrieved by a decision of the department may file a petition for trial de novo by the circuit court. The burden of proof shall be on the state to adduce the evidence. Such trial shall be conducted pursuant to the Missouri rules of civil procedure and not as an appeal of an administrative decision pursuant to chapter 536, RSMo. The petition shall be filed in the circuit court of the county where the arrest occurred. The case shall be decided by the judge sitting without a jury. The presiding judge of the circuit court may assign a **traffic judge, pursuant to 479.500, RSMo 1994, a** circuit judge or an associate circuit judge to hear such petition.

2. The filing of a petition for trial de novo shall not result in a stay of the suspension or revocation order. But upon the filing of such petition, a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education shall be issued by the department if the person's driving record shows no prior alcohol related enforcement contact during the immediately preceding five years. Such limited driving privilege shall terminate on the date of the disposition of the petition for trial de novo.

3. In addition to the limited driving privilege as permitted in subsection 2 of this section, the department may

upon the filing of a petition for trial de novo issue a restricted driving privilege for the limited purpose of driving in connection with the petitioner's business, occupation, employment, or formal program of secondary, postsecondary or higher education. In determining whether to issue such a restrictive driving privilege, the department shall consider the number and the seriousness of prior convictions and the entire driving record of the driver.

4. Such time of restricted driving privilege pending disposition of trial de novo shall be counted toward any time of restricted driving privilege imposed pursuant to section 302.525. Nothing in this subsection shall be construed to prevent a person from maintaining his restricted driving privilege for an additional sixty days in order to meet the conditions imposed by section 302.540 for reinstating a person's driver's license.";

And further amend said bill, Page 42, Section 312.407, Line 12, by inserting immediately after said line the following:

"479.500. 1. In the twenty-first judicial circuit, a majority of the circuit judges, en banc, may establish a traffic court, which shall be a division of the circuit court, and may authorize the appointment of not more than three municipal judges who shall be known as traffic judges. The traffic judges shall be appointed by a traffic court judicial commission consisting of the presiding judge of the circuit, who shall be the chair, one circuit judge elected by the circuit judges, one associate circuit judge elected by the associate circuit judges of the circuit, and two members appointed by the county executive of St. Louis County, each of whom shall represent one of the two political parties casting the highest number of votes at the next preceding gubernatorial election. The procedures and operations of the traffic court judicial commission shall be established by circuit court rule.

2. Traffic judges may be authorized to act as commissioners to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by circuit court rule. Traffic judges may also be authorized to hear in the first instance violations of county and municipal ordinances involving motor vehicles, and other county ordinance violations, as provided by circuit court rule.

[2.] **3.** In the event that a county municipal court is established pursuant to section 66.010, RSMo, which takes jurisdiction of county ordinance violations the circuit court may then authorize the appointment of no more than one traffic judge authorized to hear municipal ordinance violations other than county ordinance violations, and to act as commissioner to hear in the first instance nonfelony violations of state law involving motor vehicles, and such other offenses as may be provided by rule. **These traffic court judges also may be authorized to act as commissioners to hear in the first instance petitions to review decisions of the department of revenue or the director of revenue filed pursuant to sections 302.309, 302.311, 302.535 and 302.750, RSMo.**

[3.] **4.** In establishing a traffic court, the circuit may be divided into such sectors as may be established by a majority of the circuit **and associate circuit** judges, en banc. The traffic court in each sector shall hear those cases arising within the territorial limits of the sector unless a case arising within another sector is transferred as provided by operating procedures.

[4.] **5.** Traffic judges shall be licensed to practice law in this state and shall serve at the pleasure of a majority of the circuit judges, en banc, and shall be residents of St. Louis County, and shall receive from the state as annual compensation an amount equal to one-third of the annual compensation of an associate circuit judge. Each judge shall devote approximately one-third of his working time to the performance of his duties as a traffic judge. Traffic judges shall not accept or handle cases in their practice of law which are inconsistent with their duties as a traffic judge and shall not be a judge or prosecutor for any other court. Traffic judges shall not be considered state employees and shall not be members of the state employees' or judicial retirement system or be eligible to receive any other employment benefit accorded state employees or judges.

[5.] **6.** A majority of the judges, en banc, shall establish operating procedures for the traffic court which shall provide for regular sessions in the evenings after 6:00 p.m. and for Saturday or other sessions as efficient operation and convenience to the public may require. Proceedings in the traffic court**, except when a judge is acting as a commissioner pursuant to this section,** shall be conducted as provided in supreme court rule 37. The hearing shall be before a traffic judge without jury, and the judge shall assume an affirmative duty to determine the merits of the evidence presented and the defenses of the defendant and may question parties and witnesses. No term of imprisonment or confinement may be assessed by a traffic judge. In the event a jury trial is requested, the cause shall be certified to the circuit court for trial by jury as otherwise provided by law. Clerks and computer personnel shall be assigned as needed for the efficient operation of the court.

[6.] **7.** In establishing operating procedure, provisions shall be made for appropriate circumstances whereby defendants may enter not guilty pleas and obtain trial dates by telephone or written communication without personal appearance, or to plead guilty and deliver by mail or electronic transfer or other approved method the specified amount of the fine and costs as otherwise provided by law, within a specified period of time.

[7.] **8.** Operating procedures shall be provided for electronic recording of proceedings, except that if adequate recording equipment is not provided at county expense, then, in that event, a person aggrieved by a judgment of a traffic judge or commissioner shall have the right of a trial de novo. The procedures for perfecting the right of a trial de novo shall be the same as that provided under sections 512.180 to 512.320, RSMo, except that the provisions of subsection 2 of section 512.180, RSMo, shall not apply to such cases.

[8. On August 28, 1992, the]**9. The** circuit court shall only have the authority to appoint one commissioner with

the jurisdiction provided in subsection [2]**3** of this section. [Six months after August 28, 1992, in the event that the county has not established a county municipal court which has taken jurisdiction of county ordinance violations, the circuit court shall then have the authority to appoint the additional traffic judges with jurisdiction over county ordinance violations as provided in this section.]

[9.] **10.** All costs to establish and operate a county municipal court under section 66.010, RSMo, and this section shall be borne by such county.

And further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative May (108), House Amendment No. 1 was adopted.

Representative Marshall (133) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1169 and 1271, Page 28, Section 302.309, Line 12, by deleting the brackets around the word "Five", and deleting the word "Ten".

On motion of Representative Marshall (133), House Amendment No. 2 was adopted.

Representative Griesheimer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 1, In the Title, Lines 3 and 4, by deleting said lines and inserting in lieu thereof the following: "302.304, 302.309, 302.500, 302.505, 302.510, 302.520, 302.530, 302.541, 311.325, 312.407, 577.012"; and

Further amend said bill, Page 1, In the Title, Line 9, by deleting the word "twenty-one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting said lines and inserting in lieu thereof the following: "Section A. Sections 43.506, 82.1000, 302.060, 302.304, 302.309, 302.500, 302.505, 302.510, 302.520, 302.530, 302.541, 311.325,"; and

Further amend said bill, Page 1, Section A, Line 5, by deleting the word "twenty-one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 7, by deleting the following: "302.302, 302.309" and inserting in lieu thereof the following: "302.302, 302.304, 302.309"; and

Further amend said bill, Page 23, Section 302.302, Line 5, by inserting immediately after said line the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against his record when the record shows four or more points have been accumulated in a twelve-month period.

2. The director shall suspend the license and driving privileges of any person whose driving record shows he has accumulated eight points in eighteen months.

3. The license and driving privilege of any person whose license and driving privilege has been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege has been suspended under the provisions of subdivision (7) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (9) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the bureau of safety responsibility, department of revenue, in accordance with chapter 303, RSMo, and is otherwise eligible, shall be reinstated as follows:

(1) In the case of an initial suspension, thirty days after the effective date of the suspension;

(2) In the case of a second suspension, sixty days after the effective date of the suspension;

(3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension. Unless proof of financial responsibility is filed with the driver's license bureau, a suspension shall continue in effect for two years from its effective date.

4. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (7) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (9) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege issued by the director of revenue for the limited purpose of driving between a residence and a place of employment, or to and from an alcohol education or treatment program, or for both between a residence and a place of employment and to and from such a program. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the bureau of safety responsibility, department of revenue, in accordance with chapter 303, RSMo, the license and driving privilege shall be reinstated.

5. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, RSMo, his driving privilege and license shall be resuspended.

6. The director shall revoke the license and driving privileges of any person when his driving record shows he has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege has been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the bureau of safety responsibility in accordance with chapter 303, RSMo, and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the bureau of safety responsibility, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, RSMo, his license and driving privilege shall be rerevoked. Any person whose license and driving privilege has been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

7. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, his total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

8. Notwithstanding any other provisions to the contrary, there shall be no period of suspension of the driver's license and driving privilege of any person with no prior points who accumulates points pursuant to the provisions of section 302.302 for the first conviction of driving with a positive blood alcohol content while under twenty-one years of age.

[8.] **9.** If any person shall neglect or refuse to surrender his license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

[9.] **10.** Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of the serviceman to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

[10.] **11.** No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a hardship driving privilege granted by a court.

[11.] **12.** Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

[12.] **13.** Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.".

Speaker Pro Tem Daniels resumed the Chair.

Representative Griesheimer moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 037

Barry	Bland	Carter	Crump 152	Daniels 41
Donovan	Fiebelman	Foley	Garnett	Gibbons
Gratz	Green	Griesheimer	Gunn	Hendrickson
Hickey	Jacob	Kelly 27	Klumb	Koller
Kreider	Lograsso	Luetkenhaus	Lumpe	McBride
Murray 69	O'Connor	O'Neill	O'Toole	Overschmidt
Reynolds	Shear 83	Treadway	Troupe	Wiggins
Williams 159	Witt			

NOES: 104

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Daniel 42	Days	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fitzwater
Foster	Franklin	Froelker	Gaskill	Graham
Gross	Hagan-Harrell	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Keeven	Kelley 47	Kissell
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McClelland	Mitchell
Montgomery	Murphy	Murray 135	Naeger	Nordwald
Oetting	Ostmann	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stoll	Summers
Surface	Tate	Thomason 163	Vogel	Whiteside
Wieland	Williams 121	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 020

Auer	Clayton	Copeland	Davis	Farmer
Ford	Goward	Hall	Hegeman	Kauffman
McLuckie	Morgan	Ribaudo	Rizzo	Steen
Stokan	Thompson 37	Van Zandt	Wannenmacher	Ward

VACANCY: 002

Representative Kasten offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 1, In the Title, Line 3, by inserting immediately after the figure "577.021," the following: "577.023,"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "twenty-one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after the figure "577.021," the following: "577.023,"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "twenty-one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 6, by inserting immediately after the figure "577.021," the following: "577.023,"; and

Further amend said bill, Page 18, Section 577.021, Line 6, by inserting immediately after said line the following: "577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance, where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing;

(2) A "persistent offender" is a person who has **either:**

(a) Pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses, where such two or more offenses occurred within ten years of the occurrence of the intoxication-related traffic offense for which the person is charged; [and] **or**

(b) Pleaded guilty to or has been found guilty of an intoxication-related traffic offense as a persistent offender at any time prior to the occurrence of the intoxication-related traffic offense for which the person is charged; or

(c) Pleaded guilty to or has been found guilty of any homicide offense related to operating a motor vehicle in an intoxicated or drugged condition at any time prior to the occurrence of the intoxication-related traffic

offense for which the person is charged; or

(d) Pleaded guilty to or has been found guilty of any felony assault offense related to operating a motor vehicle in an intoxicated or drugged condition at any time prior to the occurrence of the intoxication-related traffic offense for which the person is charged;

(3) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. No court shall suspend the imposition of sentence as to a prior or persistent offender [under] **pursuant to** this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011, RSMo, to the contrary notwithstanding, nor shall such person be eligible for parole or probation until [he] **the person** has served a minimum of forty-eight consecutive hours' imprisonment, unless as a condition of such parole or probation such person performs at least ten days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service.

5. The court shall find the defendant to be a prior offender or persistent offender, if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender or persistent offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender or persistent offender.

6. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

7. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

8. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

9. The defendant may waive proof of the facts alleged.

10. Nothing in this section shall prevent the use of presentence investigations or commitments.

11. At the sentencing hearing both the state and the defendant shall be permitted to present additional information bearing on the issue of sentence.

12. The pleas or findings of guilty shall be prior to the date of commission of the present offense.

13. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilty, to assess and declare the punishment as part of its verdict in cases of prior offenders or persistent offenders.

14. Evidence of prior convictions shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence of convictions received by a search of the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol. After hearing the evidence, the court shall enter its findings thereon. A conviction of a violation of a municipal or county ordinance in a county or municipal court for driving while intoxicated or a conviction or a plea of guilty or a finding of guilty followed by a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in a state court shall be treated as a prior conviction.".

On motion of Representative Kasten, House Amendment No. 4 was adopted.

Representative Bland offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1169 and 1271, Page 16, Section 302.171, Line 12, by inserting after said line the following: review a video in reference to accidents involving alcohol and drug abuse; provided by the Dept. of Mental Health / Alcohol and Drug Division; but not limited to the department's video, if other video on the subject is available. The video cost shall not exceed $3,000 to

produce or purchase and distribute to state video facilities. (approx. 60 sites.)

On motion of Representative Bland, House Amendment No. 5 was adopted.

Representative Crum (112) offered House Amendment No. 6

House Amendment No. 6 was withdrawn.

Representative Edwards-Pavia offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Bills Nos. 1169 and 1271, Page 34, Section 302.505, Line 2, by deleting the following: "blood or breath" and inserting in lieu thereof the following: "blood [or]**,** breath**, or urine**"; and

Further amend said bill, Page 35, Section 302.510, Line 5, by deleting the following: "blood or breath" and inserting in lieu thereof the following: "blood [or]**,** breath**, or urine**"; and

Further amend said bill, Page 35, Section 302.510, Line 1, by deleting the following: "section 577.010 or 577.012, RSMo" and inserting in lieu thereof the following: "[section 577.010 or 577.012, RSMo] **any state statute related to driving while intoxicated**"; and

Further amend said bill, Page 35, Section 302.510, Line 13, by deleting the following: "section 577.010 or 577.012, RSMo" and inserting in lieu thereof the following: "[section 577.010 or 577.012, RSMo] **any state statute related to driving while intoxicated**".

On motion of Representative Edwards-Pavia, House Amendment No. 6 was adopted by the following vote:

AYES: 104

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Crump 152	Daniels 41	Donovan	Edwards-Pavia
Enz	Evans	Farnen	Fiebelman	Foley
Foster	Franklin	Froelker	Gaskill	Gibbons
Graham 123	Griesheimer	Gross	Hand	Hartzler
Hartzler 124	Hendrickson	Hohulin	Hosmer	Howerton
Kasten	Keeven	Kelley 47	Kissell	Klumb
Lakin	Legan	Levin	Liese	Linton
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	McClelland	Mitchell	Montgomery	Murphy
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Ostmann	Pauley	Pouche	Pryor
Reynolds	Richardson	Ridgeway	Robirds	Ross
Sallee	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Vogel	Whiteside	Wieland
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 027

Bland	Bray	Carter	Days	Farmer
Fitzwater	Gratz	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Jacob	Kelly 27	Koller
Kreider	Lograsso	Lumpe	Mays 50	Murray 69
Overschmidt	Scheve	Shear 83	Shelton 57	Troupe
Wiggins	Witt			

PRESENT: 000

ABSENT WITH LEAVE: 030

Auer	Clayton	Copeland	Daniel 42	Davis
Dougherty	Elliott	Ford	Garnett	Goward
Green	Hall	Hegeman	Hoppe	Kauffman
Leake	Long	McBride	McLuckie	Morgan
Oetting	Prost	Ribaudo	Rizzo	Steen
Thompson 37	Treadway	Van Zandt	Wannenmacher	Ward

VACANCY: 002

HCS HBs 1169 and 1271, with HS, as amended, pending, was laid over.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1628, introduced by Representatives Hartzler (124) and Whiteside, relating to election and appointment of certain municipal officials.

COMMITTEE REPORTS

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 796**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 960**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 982**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 989**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1088**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1088, Page 1, Section 1, Line 1, by striking the word "**not**"; and

Further amend said bill, Page 1, Section 1, Line 2, by striking the word "**less**" and inserting in lieu thereof the word "**more**"; and

Further amend said bill, Page 1, Section 1, Lines 6 through 7, by striking out the following: "**one percent for municipalities and one-half of one percent for counties.**" and inserting in lieu thereof the following: "**as follows:**

(1) One-quarter of one percent for municipalities with a population of not less than three thousand five hundred and of not more than twenty-five thousand;

(2) One-eighth of one percent for municipalities with a population of not less than twenty- five thousand and one;

(3) One-quarter of one percent for counties with a population of not less than twenty-five thousand and of not more than fifty thousand; or

(4) One-eighth of one percent for counties with a population of not less than fifty thousand and one.".

Mr. Speaker: Your Committee on Commerce, to which was referred **HB 1374**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 772**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **HB 1366**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HCS HB 899 and 1057** , begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1095**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1597**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m. Wednesday, March 20, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-First Day, Monday, March 18, 1996, pages 3 and 4, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Page 8, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Page 9, roll call, by showing Representative Liese voting "no" rather than "absent with leave".

Page 11, line 26, by deleting the words "the House Committee Substitute Do Pass" and inserting in lieu thereof the following: "Do Pass with House Committee Amendment No. 1."

House Committee Amendment No. 1

AMEND House Bill 856, Page 2, Section 494.430, Line 13, by deleting said line and by inserting in lieu thereof the following:

"**(6) Any person who is enrolled as a full-time student in a school located more than fifty miles from the county in which the jury summons is issued.**"

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 20, 1996, 1:00 pm. Hearing Rooms 3 & 4. Executive session follows.

To be considered - SB 492, SB 766

BUDGET

Wednesday, March 20, 1996, 8:30 am. Hearing Room 9. Possible executive session.

To be considered - HB 1020

BUDGET

Wednesday, March 20, 1996. Hearing Room 9 upon morning adjournment.

Possible executive session.

To be considered - HB 1020

CHILDREN, YOUTH, AND FAMILIES

Wednesday, March 20, 1996, 8:00 am. Hearing Room 8. Executive Session

To be considered - SB 569, SB 763, SB 533, SB 728

CIVIL AND CRIMINAL LAW

Wednesday, March 20, 1996, 8:00 pm. Hearing Room 7. Executive session will follow.

To be considered - HB 1034, HB 925, HB 1078, HB 1096, HB 1195

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, March 20, 1996, 1:00 pm. Hearing room 7. Executive session.

To be considered - HB 1601, HB 1584, HB 1604, SB 870

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, March 21, 1996, 9:30 am. Side Gallery. (River Side) Executive

Session on Following Bills.

To be considered - HB 1337, HB 1039, HB 808, HB 1542, HB 1209, HB 1462

ENERGY AND ENVIRONMENT

Thursday, March 21, 1996, 9:00 am. Hearing Room 8. Informational hearing

on Conoco propane storage caverns.

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 20, 1996, 8:30 am. Hearing Room 7.

To be considered - HCR 9, HB 1563, HB 1589, SB 670

PROFESSIONAL REGISTRATION & LICENSING

Thursday, March 21, 1996, 9:00 am. Hearing Room 5. Executive session.

To be considered - HB 1585, SB 693

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, March 20, 1996, 1:15 pm. Hearing Room 2. Executive session to follow.

To be considered - HB 1610, SB 661

SUB-COMMITTEE ON CONSUMER PROTECTION

Wednesday, March 20, 1996. Hearing Room 1 upon noon adjournment.

To be considered - HB 949

TRANSPORTATION

Wednesday, March 20, 1996, 1:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HCR 8, SB 780, SB 792

TRAVEL COMMITTEE

Wednesday, March 20, 1996, 9:00 am. Hearing Room 5. Amended Notice

URBAN AFFAIRS

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 2. Executive session may follow.

To be considered - HB 1525, SB 818

HOUSE CALENDAR

FORTY-THIRD DAY, WEDNESDAY, MARCH 20, 1996

HOUSE BILL FOR SECOND READING

HB 1628

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

Forty-second Day-Tuesday, March 19, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 1301 & 1298 - McLuckie
2 HCS HB 1172 - Jacob
3 HCS HB 1169 & 1271,with HS, as amended, pending,Williams (121) - Hosmer
4 HCS HB 1099 - Williams (159)
5 HB 1243, HCA 1 - Farmer
6 HCS HB 1207, 1288, 1408 & 1409 - Tate
7 HB 985 - Franklin
8 HB 1368 - May (108)
9 HCS HB 1363 - Mays (50)
10 HB 1113 - Stoll
11 HB 811 - Smith
12 HB 962 - Lumpe
13 HB 1361, HCA 1, Gibbons - Treadway
14 HCS HB 1372 - Mays (50)
15 HCS HB 1174 & 1309 - May (108)
16 HCS HB 1159, 842 & 799 - Jacob

17 HB 908, HCA 1 Thomason (163) - Ross
18 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
19 HB 852, HCA 1 - Canuteson
20 HCS HB 999 - Treadway
21 HCS HB 1186 - Hoppe
22 HCS HB 1237 - Rizzo
23 HB 1241 - Witt
24 HCS HB 1185 - McClelland
25 HB 839 - Luetkenhaus
26 HB 1411 - Loudon
27 HCS HB 1149, 1150 & 1240 - Jacob
28 HCS HB 894 - Bray
29 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
30 HB 1380 - Lumpe
31 HCS HB 1557 & 1489 - Days
32 HCS HB 987, 1155, 1158 & 1219 - Jacob
33 HCS HB 1403 - Dougherty
34 HB 1247 - Shelton (57)
35 HCS HB 1588 - Overschmidt
36 HB 944, HCA 1 - Smith
37 HB 1154 - Murray (69)
38 HCS HB 1540 - Green
39 HB 993 - Williams (121)
40 HB 854 - Bland

Forty-second Day-Tuesday, March 19, 1996

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 18, 1996)

HB 1260 - Lumpe

HB 1564 - O'Toole

HB 1504 - Schwab

HB 1044 - Montgomery

HB 1223 - Marshall (133)

HB 819 - Backer

HB 1286 - Pryor

HOUSE BILLS FOR THIRD READING - APPROPRIATIONS

HCS HB 1011 - Troupe

HCS HB 1012 - Green & Franklin

HOUSE BILLS FOR THIRD READING

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1295 - Gunn
2 HB 1101 - Franklin
3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans

6 HB 1168 - Crum (112)
7 HB 956 - Van Zandt
8 HB 1117 - Green
9 HB 1523 - Linton
10 HB 1055 - Overschmidt
11 HB 1537 - Treadway
12 HB 1359 - Green
13 HB 1566 - Richardson
14 HB 1428 - Leake
15 HB 1473, E.C. - Shear (83)
16 HB 1110 - Treadway
17 HB 1076 - Childers
18 HB 1166 - McClelland
19 HB 1420 - Sears (1)
20 HB 1305 - Gratz
21 HB 1440 - Backer
22 HB 1315 - Schwab
23 HB 918 - Hosmer
24 HB 1477 - Farnen
25 HB 1131 - Kreider
26 HB 1369 - Thomason (163)
27 HB 1431 - Shields
28 HB 1304 - Hosmer
29 HB 1533 - Ostmann

SENATE BILLS FOR THIRD READING

SCS SB 735, HCA 1,E.C. - Liese

HCS SS SB 687, E.C. - Lumpe

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 226, (3-7-96, pgs. 25 & 26) - Dougherty

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House Journal

Second Regular Session, 88th General Assembly

FORTY-THIRD DAY, Wednesday, March 20, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"Again I saw that under the sun the race is not to the swift, nor the battle to the strong, nor bread to the wise nor riches to the intelligent, nor favor to the skillful; but time and chance happen to them all." (Ecclesiastes 9:11, NRSV)

The time is getting closer each day, O God of eternity, when the business of this House will conclude, and we are conscious of needing to get so much done. Help us discern the important issues and deal with them with careful deliberation. Help us discern those issues which are simpler and less important, and dispatch those with expediency, remembering in both cases the affect that our decisions will have on us and on those whom we serve.

In this prayer today we ask you to be with each member of this body, its officers; men and women who feel the weight of responsibility and the need for your guidance; men and women who often are tempted and who need the support of your grace. Grant to them the courage to do the right as you have given them to see right, and to help make it clear to the rest of us. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sarah Jackson, Stephanie Richter, Rachel Richter, Lydia Richter, Kayla Hatch, Jessie Felzien, Robert L. Becker, Elizabeth Hornbeck, Tom Schwartz, Jeff Talleur, Katie Vescovo, Dana Gilmore, Chad Kelly, Alicia Boyd, Cornelius Weaver and Taneka Jordon.

The Journal of the forty-second day was approved as corrected.

RESOLUTIONS

Representative Marshall (26) offered House Resolution No. 500, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wannenmacher offered House Resolution No. 501, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 502, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILL

HB 1628 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1533 (CONSENT)**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1011 and HCS HB 1012**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS - APPROPRIATIONS

HCS HB 1011, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **HCS HB 1011** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 006

Elliott	Froelker	Hohulin	Keeven	Loudon

Marshall 133

PRESENT: 000

ABSENT WITH LEAVE: 010

Copeland	Goward	Hall	Hegeman	Kasten
Legan	O'Connor	Ribaudo	Stokan	Thompson 37

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Morgan moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1012, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1012** was read the third time and passed by the following vote:

AYES: 120

Alter	Auer	Backer	Ballard	Barnett 4
Bennett 15	Bland	Boucher	Bray	Broach
Brown	Burton	Carter	Champion	Childers
Chrismer	Cooper	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Garnett	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer
Hickey	Hoppe	Hosmer	Howerton	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Liese
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Neill	O'Toole	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 030

Akin	Barry	Bartelsmeyer	Boatright	Canuteson
Cierpiot	Clayton	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Hand	Hartzler 124
Hendrickson	Hohulin	Keeven	Levin	Linton
Lograsso	Loudon	Marshall 133	Murphy	Oetting
Richardson	Ridgeway	Secrest	Surface	Wieland

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 010

Copeland	Goward	Hall	Hegeman	Jacob
Kasten	McBride	O'Connor	Ribaudo	Wiggins

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Schilling, title to the bill was agreed to.

Representative Tate moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HBs 1169 and 1271 with HS, as amended, pending, relating to zero tolerance, was again taken up by Representative Williams (121).

Representative Gratz offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 40, Section

302.530, Line 3, by inserting immediately after said line the following:

"9. The director shall not allow or issue any public access, other than law enforcement, to any records of a first conviction of driving with a positive blood alcohol content as defined in section 577.012 by drivers less than twenty-one years of age."

Representative Gratz moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Crum (112) offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 43, Section 577.012, Line 17, by inserting immediately after said line the following:

577.020. 1. Any person who operates a motor vehicle upon the public highways of this state shall be deemed to have given consent to, subject to the provisions of sections 577.020 to 577.041, a chemical test or tests of [his] **the person's** breath, blood, saliva or urine for the purpose of determining the alcohol or drug content of [his] **the person's** blood if arrested for any offense arising out of acts which the arresting officer had reasonable grounds to believe were committed while the person was driving a motor vehicle while in an intoxicated or drugged condition. The test shall be administered at the direction of the arresting law enforcement officer whenever the person has been arrested for the offense.

2. The implied consent to submit to the chemical tests listed in subsection 1 of this section shall be limited to not more than two such tests arising from the same arrest, incident or charge.

3. Chemical analysis of the person's breath, blood, saliva, or urine to be considered valid [under] **pursuant to** the provisions of sections 577.020 to 577.041 shall be performed according to methods approved by the state department of health by licensed medical personnel or by a person possessing a valid permit issued by the state department of health for this purpose.

4. The state department of health shall approve satisfactory techniques, devices, equipment, or methods to be considered valid [under] **pursuant to** the provisions of sections 577.020 to 577.041 and shall establish standards to ascertain the qualifications and competence of individuals to conduct analyses and to issue permits which shall be subject to termination or revocation by the state department of health.

5. The person tested may have a physician, or a qualified technician, chemist, registered nurse, or other qualified person [of his own choosing and at his expense] **at the choosing and expense of the person to be tested,** administer a test in addition to any administered at the direction of a law enforcement officer. The failure or inability to obtain an additional test by a person shall not preclude the admission of evidence relating to the test taken at the direction of a law enforcement officer.

6. Upon the request of the person who is tested, full information concerning the test shall be made available to him.

7. Any person given a chemical test of the person's breath pursuant to subsection 1 of this section may be videotaped during such test at the direction of the arresting law enforcement officer. Any such video recording made during the chemical test pursuant to this subsection shall be admissible as evidence at either any trial of such person for either a violation of any state law or county or municipal ordinance, or any license revocation or suspension proceeding pursuant to the provisions of chapter 302, RSMo.".

Further amend title and enacting clause accordingly.

On motion of Representative Crum (112), House Amendment No. 8 was adopted.

Representative Boucher offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 46, Section 577.039, Line 15, by inserting immediately before the word "An" the following: "**1.**"; and

Further amend said bill, Page 47, Section 577.039, Line 1, by inserting immediately after said line the following:

"**2. When a person is taken into custody by a law enforcement officer with or without a warrant for an offense in violation of any alcohol-related statute or ordinance the person shall be advised of the following prior to questioning:**

(1) That the person has the right to remain silent; and

(2) That any statement the person does make to anyone can be and may be used against the person; and

(3) That the person has a right to have an attorney present during questioning; and

(4) That the person has a right to consult with an attorney and that one will be appointed and paid for if such person cannot afford one.".

Representative Boucher moved that House Amendment No. 9 be adopted.

Which motion was defeated by the following vote:

AYES: 063

Backer	Barry	Bland	Boucher	Bray
Canuteson	Champion	Clayton	Crum 112	Crump 152
Daniel 42	Davis	Days	Dougherty	Farmer
Fitzwater	Foley	Franklin	Green	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kauffman	Kelly 27	Lakin
Lumpe	Marshall 26	May 108	Mays 50	McBride
McLuckie	Montgomery	Morgan	Murphy	Murray 69
O'Neill	O'Toole	Reynolds	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Stokan	Summers	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Wiggins
Williams 121	Williams 159	Witt		

NOES: 085

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Broach	Brown
Burton	Carter	Childers	Chrismer	Cierpiot
Cooper	Daniels 41	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gross	Hand	Hartzler 123
Hartzler 124	Hendrickson	Hohulin	Howerton	Kasten
Keeven	Kelley 47	Kissell	Koller	Kreider
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 133	McClelland	Mitchell	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Pryor	Richardson	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Sombart	Steen	Stoll	Surface	Vogel
Wannenmacher	Whiteside	Wieland	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Copeland	Ford	Goward	Hall
Hegeman	Klumb	O'Connor	Prost	Ribaudo
Ridgeway	Troupe	Ward		

VACANCY: 002

Representative Jacob offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 28, Section 302.309, Line 14, by deleting the following: "for the first time" and inserting in lieu thereof the following: "[for the first time]"; and

Further amend said bill, Page 28, Section 302.309, Line 19, by deleting the following: "[(g)] **(7)**" and inserting in lieu thereof the following: "[(g)"; and

Further amend said bill, Page 28, Section 302.309, Line 22, by deleting the following: "[(h)] **(8)**" and inserting in lieu thereof the following: "(h)] **(7)**"; and

Further amend said bill, Page 29, Section 302.309, Line 10, by deleting the following: "[(i)] **(9)**" and inserting in lieu thereof the following: "[(i)] **(8)**".

Representative Jacob moved that House Amendment No. 10 be adopted.

Which motion was defeated by the following vote:

AYES: 035

Auer	Backer	Bland	Bray	Carter
Clayton	Crum 112	Crump 152	Daniels 41	Days
Farmer	Farnen	Gibbons	Gratz	Green
Griesheimer	Jacob	Klumb	Kreider	Leake
Lumpe	Marshall 133	Mays 50	Morgan	Reynolds
Scheve	Schilling	Shear 83	Shelton 57	Tate
Van Zandt	Wiggins	Williams 159	Witt	Mr. Speaker

NOES: 103

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Broach	Brown	Burton	Canuteson	Champion
Childers	Chrismer	Cierpiot	Cooper	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Graham	Gross	Gunn
Hagan-Harrell	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hendrickson	Hohulin	Hoppe	Hosmer	Kasten
Kauffman	Keeven	Kelley 47	Kissell	Koller
Lakin	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	May 108	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Pryor	Richardson	Rizzo	Robirds
Ross	Sallee	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shields	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Thomason 163	Treadway	Vogel	Wannenmacher	Whiteside
Wieland	Williams 121	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 023

Copeland	Daniel 42	Davis	Donovan	Ford
Goward	Hall	Harlan	Hegeman	Hickey
Howerton	Kelly 27	McBride	Nordwald	O'Connor
O'Neill	Prost	Ribaudo	Ridgeway	Skaggs
Thompson 37	Troupe	Ward		

VACANCY: 002

HCS HBs 1169 and 1271, with HS, as amended, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day to serve without compensation: Stevie Womach and Skylar Womach.

RESOLUTIONS

Representative Troupe offered House Resolution No. 503, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland, et al, offered House Resolution No. 504, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 505, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 506, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Clayton and Leake offered House Resolution No. 507, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Foster offered House Concurrent Resolution No. 12.

COMMITTEE REPORTS

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501 and 502**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 980, HCS HB 945 and HB 782**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 137

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Clayton
Cooper	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fitzwater
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

ABSENT WITH LEAVE: 024

Auer	Bray	Chrismer	Cierpiot	Copeland
Daniel 42	Fiebelman	Foley	Goward	Harlan
Hegeman	Hickey	Jacob	Koller	Long
Murphy	Murray 135	Ostmann	Ribaudo	Ridgeway
Skaggs	Thompson 37	Ward	Witt	

VACANCY: 002

PERFECTION OF HOUSE BILLS

HCS HBs 1169 and 1271, **with HS, as amended, pending**, relating to zero tolerance, was again taken up by Representative Williams (121).

Representative Griesheimer offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 1, In the Title, Lines 3 and 4, by deleting said lines and inserting in lieu thereof the following: "302.309, 302.500, 302.505, 302.510, 302.520, 302.530, 302.541, 311.310, 311.325, 312.407, 577.012"; and

Further amend said bill, Page 1, In the Title, Line 9, by deleting the word "twenty-one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting said lines and inserting in lieu thereof the following: "Section A. Sections 43.506, 82.1000, 302.060, 302.309, 302.500, 302.505, 302.510, 302.520, 302.530, 302.541, 311.310, 311.325,"; and

Further amend said bill, Page 1, Section A, Line 5, by deleting the word "twenty-one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 2, Section A, Line 1, by deleting the following: "302.541, 311.325" and inserting in lieu thereof the following: "302.541, 311.310, 311.325"; and

Further amend said bill, Page 41, Section 302.541, Line 4, by inserting immediately after said line the following:

"311.310. Any licensee [under] **pursuant to** this chapter, or [his] **the licensee's** employee, who shall sell, vend, give away or otherwise supply any intoxicating liquor in any quantity whatsoever to any person under the age of twenty-one years, or to any person intoxicated or appearing to be in a state of intoxication, or to a habitual drunkard, and any person whomsoever except [his] **the person's** parent or guardian who shall **knowingly** procure for, sell, give away or otherwise supply intoxicating liquor to any person under the age of twenty-one years, or to any intoxicated person or any person appearing to be in a state of intoxication, or to a habitual drunkard, shall be deemed guilty of a **class A** misdemeanor, except that this section shall not apply to the supplying of intoxicating liquor to a person under the age of twenty-one years for medical purposes only, or to the administering of such intoxicating liquor to any person by a duly licensed physician. No person shall be denied a license or renewal of a license issued [under] **pursuant to** this chapter solely due to a conviction for unlawful sale or supply to a minor when serving in the capacity as an employee of a licensed establishment.".

On motion of Representative Griesheimer, House Amendment No. 11 was adopted.

Representative Reynolds offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 1, In the Title, Lines 3 through 5, by deleting said lines and inserting in lieu thereof the following: "302.309, 302.505, 302.510, 302.520, 302.530, 302.541, 311.325, 312.407, 577.012, 577.021 and 577.039, RSMo 1994, and"; and

Further amend said bill, Page 1, In the Title, Line 9, by deleting the word "twenty-one" and inserting in lieu thereof the word "nineteen"; and

Further amend said bill, Page 1, Section A, Lines 2 and 3, by deleting said lines and inserting in lieu thereof the following: "302.505, 302.510, 302.520, 302.530, 302.541, 311.325, 312.407, 577.012, 577.021 and 577.039, RSMo 1994, and"; and

Further amend said bill, Page 1, Section A, Line 5, by deleting the word "twenty-one" and inserting in lieu thereof the word "nineteen"; and

Further amend said bill, Page 1, Section A, Line 7, by deleting the following: "302.500,"; and

Further amend said bill, Page 2, Section A, Line 2, by deleting the following: "577.037,"; and

Further amend said bill, Page 19, Section 302.302, Line 11, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 19, Section 302.302, Line 12, by deleting "**or, where the**"; and

Further amend said bill, Page 19, Section 302.302, Lines 13 through 15, by deleting all of said lines; and

Further amend said bill, Page 19, Section 302.302, Line 20, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Pages 19 and 20, Section 302.302, Lines 21 and 22, by deleting the following: "**or, where the person is less than twenty-one years of age, for the first conviction of driving with**"; and

Further amend said bill, Page 20, Section 302.302, Lines 1 and 2, by deleting the following: "**a positive blood alcohol content, as defined in section 577.012, RSMo,**"; and

Further amend said bill, Page 20, Section 302.302, Line 4, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 20, Section 302.302, Lines 5 through 7, by deleting all of said lines; and

Further amend said bill, Page 20, Section 302.302, Line 8, by deleting the following: "**section 577.012, RSMo,**"; and

Further amend said bill, Page 20, Section 302.302, Line 13, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 20, Section 302.302, Line 14, by deleting the following: "**or, where the person is less than**"; and

Further amend said bill, Page 20, Section 302.302, Lines 15 through 17, by deleting all of said lines; and

Further amend said bill, Pages 32 and 33, Section 302.500, Line 11 on Page 32 through Line 19 on Page 33, by deleting all of said lines; and

Further amend said bill, Page 34, Section 302.505, Line 2, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 34, Section 302.505, Line 4, by deleting the following: "**, or where such person**" and inserting in lieu thereof a period "."; and

Further amend said bill, Page 34, Section 302.505, Lines 5 through 7, by deleting all of said lines; and

Further amend said bill, Page 35, Section 302.510, Line 5, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 35, Section 302.510, Line 6, by deleting the following: "**or where the person was at the time of the arrest less**"; and

Further amend said bill, Page 35, Section 302.510, Lines 7 and 8, by deleting all of said lines; and

Further amend said bill, Page 36, Section 302.520, Line 10, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 36, Section 302.520, Line 11, by deleting the following: "**or where such person is**"; and

Further amend said bill, Page 36, Section 302.520, Lines 12 and 13, by deleting all of said lines; and

Further amend said bill, Page 36, Section 302.520, Line 14, by deleting the word "**blood**"; and

Further amend said bill, Page 40, Section 302.541, Line 12, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 40, Section 302.541, Lines 13 and 14, by deleting all of said lines; and

Further amend said bill, Page 40, Section 302.541, Line 15, by deleting the following: "**amount of alcohol in the person's blood**"; and

Further amend said bill, Page 40, Section 302.541, Lines 21 and 22, by deleting all of said lines and inserting in lieu thereof the following: "**such person was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight is exempt from**"; and

Further amend said bill, Page 42, Section 577.012, Line 15, by deleting "ten-hundredths" and inserting in lieu thereof the following: "[ten-hundredths] **two-hundredths**"; and

Further amend said bill, Page 42, Section 577.012, Lines 17 through 21, by deleting all of said lines; and

Further amend said bill, Page 42, Section 577.012, Line 22, by deleting "**3.**" and inserting "2." in lieu thereof; and

Further amend said bill, Page 43, Section 577.012, Lines 7 through 10, by deleting all of said lines; and

Further amend said bill, Page 43, Section 577.012, Line 11, by deleting the following: "[3.] **4.**" and inserting in lieu thereof the following: "3."; and

Further amend said bill, Page 43, Section 577.012, Lines 13 through 17, by deleting all of said lines; and

Further amend said bill, Pages 44 through 46, Section 577.037, Line 5 on Page 44 through Line 14 on Page 46, by

deleting all of said section 577.037; and

Further amend said bill, Page 48, Section 577.614, Lines 7 through 10, by deleting all of said lines and inserting in lieu thereof the following: "**an administrative order, involved driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight shall have all**".

Representative Reynolds moved that House Amendment No. 12 be adopted.

Which motion was defeated.

Representative Green offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 and 1271, Page 33, Section 302.312, Lines 5 through 6, by deleting the word "**two-hundredths**" and inserting in lieu thereof the word "**four-hundredths**"; and

Further amend said bill, Page 43, Section 577.012, Line 9, by deleting the word "**two- hundredths**" and inserting in lieu thereof the word "**four-hundredths**".

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 13.

House Substitute Amendment No. 1 for House Amendment No. 13 was withdrawn.

Representative Green moved that House Amendment No. 13 be adopted.

Which motion was defeated by the following vote:

AYES: 023

Auer	Bonner	Clayton	Davis	Donovan
Farmer	Garnett	Gratz	Green	Griesheimer
Heckemeyer	Hickey	Mays 50	Murray 69	O'Connor
O'Neill	Overschmidt	Reynolds	Shelton 57	Treadway
Wiggins	Williams 159	Witt		

NOES: 119

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Boucher	Bray	Broach	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Cooper	Crum 112	Days	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gaskill	Gibbons	Graham	Gross
Gunn	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Hendrickson	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kissell
Klumb	Kreider	Lakin	Legan	Levin
Liese	Linton	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	McBride
McClelland	Mitchell	Montgomery	Morgan	Murphy
Murray 135	Naeger	Nordwald	O'Toole	Oetting
Ostmann	Pauley	Pouche	Prost	Pryor
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Williams 121	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown	Copeland	Crump 152	Daniel 42	Daniels 41
Goward	Harlan	Hegeman	Jacob	Kelley 47
Kelly 27	Koller	Leake	Lograsso	Marshall 133

McLuckie Ribaudo Thompson 37 Ward

VACANCY: 002

Representative Hohulin offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1169 & 1271, Page 1, In the Title, Line 5 of said title, by inserting immediately after the number "577.021," the number "577.023,"; and

Further amend said bill, Page 1, In the Title, Line 9 of said title, by deleting the word "twenty-one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 3 of said page, by inserting immediately after the number "577.021," the number "577.023,"; and

Further amend said bill, Page 1, Section A, Line 5 of said page, by deleting the word "twenty- one" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 1, Section A, Line 9 of said page, by inserting immediately after the number "577.021," the number "577.023,"; and

Further amend said bill, Page 40, Section 577.021, Line 12 of said page, by inserting after all of said line the following:

"577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance, where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing;

(2) A "persistent offender" is a person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses, where such two or more offenses occurred within ten years of the occurrence of the intoxication-related traffic offense for which the person is charged; and

(3) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within 12 months of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class [A misdemeanor] **D felony**.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. No court shall suspend the imposition of sentence as to a prior or persistent offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011, RSMo, to the contrary notwithstanding, nor shall such person be eligible for parole or probation until he has served a minimum of forty-eight consecutive hours' imprisonment, unless as a condition of such parole or probation such person performs at least ten days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service.

5. The court shall find the defendant to be a prior offender or persistent offender, if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender or persistent offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender or persistent offender.

6. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

7. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

8. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

9. The defendant may waive proof of the facts alleged.

10. Nothing in this section shall prevent the use of presentence investigations or commitments.

11. At the sentencing hearing both the state and the defendant shall be permitted to present additional information bearing on the issue of sentence.

12. The pleas or findings of guilty shall be prior to the date of commission of the present offense.

13. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilty, to assess and declare the punishment as part of its verdict in cases of prior offenders or persistent offenders.

14. Evidence of prior convictions shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence of convictions received by a search of the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol. After hearing the evidence, the court shall enter its findings thereon. A conviction of a violation of a municipal or county ordinance in a county or municipal court for driving while intoxicated or a conviction or a plea of guilty or a finding of guilty followed by a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in a state court shall be treated as a prior conviction.".

On motion of Representative Hohulin, House Amendment No. 14 was adopted.

On motion of Representative Williams (121), **HS HCS HBs 1169 and 1271, as amended,** was adopted.

On motion of Representative Williams (121), **HS HCS HBs 1169 and 1271, as amended,** was ordered perfected and printed.

HCS HB 1099, relating to commercial feed law, was taken up by Representative Williams (159).

Representative Williams (159) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1099, Page 2, Section 266.160, Line 41, by inserting immediately after the word "**feed**" and before the semicolon " **;** " the following: "**except that a veterinarian actively treating an identified animal is not an independent consultant**".

On motion of Representative Williams (159), House Amendment No. 1 was adopted.

On motion of Representative Williams (159), **HCS HB 1099, as amended,** was adopted.

On motion of Representative Williams (159), **HCS HB 1099, as amended,** was ordered perfected and printed.

HCS HBs 1301 and 1298, relating to school safety, was taken up by Representative McLuckie.

Representative McLuckie offered **HS HCS HBs 1301 and 1298**.

Representative Franklin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Pages 23 and 24, Section 167.171, Line 4 from the top of page 23 through line 3 from the top of page 24, by deleting all of said lines; and

Further amend said bill, Pages 30 and 31, Section 5, Line 21 from the top of page 30 through line 13 from the top of page 31, by deleting all of said lines and inserting in lieu thereof the following:

"**Section 5. Any suspension issued pursuant to section 167.161, RSMo, or this section, or expulsion pursuant to section 167.161, RSMo, shall not relieve the state or the suspended student's parents or guardians of their respective responsibilities to educate the student. School districts are encouraged to provide an in-school suspension system and to search for other acceptable discipline alternatives prior to utilizing long-term (more than ten days) suspensions or expelling a student from the school.**".

On motion of Representative Franklin, House Amendment No. 1 was adopted by the following vote:

AYES: 133

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Bonner	Bray	Broach	Brown	Burton
Canuteson	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Crump 152	Daniels 41
Davis	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Fitzwater	Foley

Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	Mays 50
McBride	McClelland	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 159	Wooten		

NOES: 018

Bland	Carter	Daniel 42	Days	Dougherty
Farmer	Gunn	Kelly 27	May 108	McLuckie
Reynolds	Schilling	Smith	Thompson 37	Troupe
Williams 121	Witt	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Boucher	Copeland	Goward	Green	Harlan
Hegeman	Jacob	Loudon	Ribaudo	Ward

VACANCY: 002

Representative Hall offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Cooper offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 18, Section 167.161, Line 3, by inserting after all of said line the following:

"**3. The school board shall make a good-faith effort to have the parents or others having custodial care present at any such hearing.**".

On motion of Representative Cooper, House Amendment No. 2 was adopted.

Representative Bennett offered House Amendment No. 3.

House Amendment No. 3 was withdrawn.

Representative Donovan offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills No. 1301 and 1298, Page 32, Section 6, Line 19, by inserting immediately after said line the following:

"**(6) Annually, school districts must report to the department of elementary and secondary education the names and addresses of all students who have demonstrated disruptive behavior and who could not participate in in-school alternative programs and therefore were suspended out-of-school because of a lack of availability of alternative in-school suspension programs. Based on this annual data, future funding needs shall be determined.**"

Representative Witt assumed the Chair.

On motion of Representative Donovan, House Amendment No. 3 was adopted.

Representative Gratz offered House Amendment No. 4.

Representative Smith raised a point of order that House Amendment No. 4 is not germane to the bill.

The Parliamentary Committee ruled the point of order well taken.

Representative Bennett offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 1, In the Title, Line 5 of said title, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 3 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 5 of said page, by deleting the word and figures "7 and 8" and inserting in lieu thereof the following: "7, 8 and 9"; and

Further amend said bill, Page 34, Section 8, Line 10 of said page, by inserting after all of said line the following:

"**Section 9. 1. No person shall bring onto, or possess on the property of any public or private school, or on any school bus used to transport students to or from any public or private school, any of the following weapons as defined in section 571.010, RSMo, without the permission of the principal or chief administrative officer of such school:**

(a) A blackjack;

(b) An explosive weapon;

(c) A firearm, loaded or unloaded, in a functioning or nonfunctioning state;

(d) A firearm silencer;

(e) A gas gun;

(f) A knife, but not including any ordinary pocket knife with no blade more than four inches in length;

(g) Knuckles;

(h) A projectile weapon; or

(i) A switchblade knife.

2. A violation of the provisions of subsection 1 of this section is a class D felony.

3. The provisions of subsection 1 of this section shall not apply to a firearm which is in a motor vehicle under the control of a person who is at least twenty-one years of age.".

Representative Smith raised a point of order that House Amendment No. 4 is not germane to the bill.

The Parliamentary Committee ruled the point of order not well taken.

Representative Loudon offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1
for
House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 1, In the Title, Line 5 of said title, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 3 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 5 of said page, by deleting the word and figures "7 and 8" and inserting in lieu thereof the following: "7, 8 and 9"; and

Further amend said bill, Page 34, Section 8, Line 10 of said page, by inserting after all of said line the following:

"**Section 9. 1. No person shall bring onto, or possess on the property of any public [or private] elementary or secondary school, or on any school bus used to transport students to or from any public [or private] elementary or secondary school, any of the following weapons as defined in section 571.010, RSMo, without the permission of the principal or chief administrative officer of such school:**

(a) A blackjack;

(b) An explosive weapon;

(c) A firearm, loaded or unloaded, in a functioning or nonfunctioning state;

(d) A firearm silencer;

(e) A gas gun;

(f) A knife, but not including any ordinary pocket knife with no blade more than four inches in length;

(g) Knuckles;

(h) A projectile weapon; or

(i) A switchblade knife.

2. A violation of the provisions of subsection 1 of this section is a class D felony.

3. The provisions of subsection 1 of this section shall not apply to a firearm which is in a motor vehicle under the control of a person who is at least twenty-one years of age.".

Representative Loudon moved that House Substitute Amendment No. 1 for House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Bennett moved that House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Alter offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 33, Section 7, by deleting all of said section; and

Further amend said substitute by amending the title and enacting clause accordingly.

On motion of Representative Alter, House Amendment No. 5 was adopted.

On motion of Representative McLuckie, **HS HCS HBs 1301 and 1298, as amended,** was adopted.

On motion of Representative McLuckie, **HS HCS HBs 1301 and 1298, as amended,** was ordered perfected and printed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SJR 31**, entitled:

Joint Resolution submitting to the qualified voters of Missouri, an amendment repealing section 5 of article V of the Constitution of Missouri, relating to the practice of law, and adopting one new section in lieu thereof relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 501**, entitled:

An act to repeal section 105.955, RSMo 1994, relating to the Missouri ethics commission, and to enact in lieu thereof one new section relating to the same subject

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 572**, entitled:

An act to repeal sections 160.051, 160.053 and 171.031, RSMo 1994, relating to public schools, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 643**, entitled:

An act to create chapter 617, RSMo, relating to the creation of a department of aging, by enacting six new sections, with a contingent effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 683**, entitled:

An act to repeal section 408.140, RSMo 1994, relating to financial institutions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 709**, entitled:

An act to repeal sections 105.470, 105.483, 105.487, 105.959, 105,961, 130.031, 130.032 and 130.057, RSMo 1994, and sections 105.955 and 130.037, RSMo Supp. 1995, relating to certain public officials, and to enact in lieu thereof sixteen new sections relating to the same subject, with an emergency clause.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 773**, entitled:

An act to repeal sections 36.030, 36.031, 36.040, 36.050, 36.100, 36.110, 36.120, 36.140, 36.170, 36.180, 36.190, 36.210, 36.240, 36.250, 36.260, 36.280, 36.300, 36.320, 36.330, 36.360, 36.390 and 36.510, RSMo 1994, and section 36.020, RSMo Supp. 1995, relating to Missouri merit system and uniform classification and pay system, and to enact in lieu thereof twenty-three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 837**, entitled:

An act to repeal sections 2.080 and 2.091, RSMo 1994, relating to journals of the senate and the house of representatives, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 527**, entitled:

An act to repeal section 575.010, RSMo 1994, relating to offenses against the administration of justice, and to enact three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 834**, entitled:

An act to repeal sections 194.400 and 194.410, RSMo 1994, relating to unmarked human burial sites, and to enact in lieu thereof two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS #2 SB 860**, entitled:

An act to repeal sections 169.035, 169.050, 169.589 and 169.650, RSMo 1994, and sections 169.030, 169.055, 169.056, 169.057, 169.075, 169.560, 169.620, 169.630, 169.655 and 169.660, RSMo Supp. 1995, relating to teacher and school employee retirement systems, and to enact thirteen new sections relating to the same subject, with an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 930**, entitled:

An act to repeal section 329.265, RSMo Supp. 1995, relating to cosmetology, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORTS

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 8

WHEREAS, Burlington Northern Santa Fe Corporation (BNSF) has recently announced that it will close three of its fourteen system locomotive maintenance shops as part of a streamlining effort; and

WHEREAS, one of the maintenance shops scheduled to be shut down is the Springfield, Missouri, shop, which employs some 237 workers; and

WHEREAS, the closing of BNSF's Springfield maintenance facility will result in the loss of jobs and will have a substantially negative impact on the Springfield economy; and

WHEREAS, the safety and service records of the machinists, electricians, boilermakers, laborers, sheet metal workers, car men, and supervisors at the Springfield maintenance shop have been above the BNSF average:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, hereby oppose the scheduled closing of the Springfield, Missouri, locomotive maintenance shop, and further call upon Burlington Northern Santa Fe Corporation to strongly reconsider its decision to reduce the Springfield facility to a locomotive service facility; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Burlington Northern Santa Fe Corporation and for Union Brotherhood of Maintenance of Way, Springfield, Missouri.

Committee on Workers Compensation and Employment Security, Chairman O'Neill reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **HB 1590**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1590, Page 1, In the title, Line 3, by deleting the word and figures "288.030 and 288.036" and inserting in lieu thereof the following: "288.030, 288.032, 288.036 and 288.114"; and

Further amend said bill, Page 1, In the title, Line 5, by deleting the word "twelve" and inserting in lieu thereof the following: "thirteen"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word and figures "288.030 and 288.036" and inserting in lieu thereof the following: "288.030, 288.032, 288.036 and 288.114"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "twelve" and inserting in lieu thereof the following: "thirteen"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the figure "288.030," the following: "288.032,"; and

Further amend said bill, Page 4, Section 288.030, Line 99, by inserting after all of said line the following:

"288.032. 1. After December 31, 1977, "employer" means:

(1) Any employing unit which in any calendar quarter in either the current or preceding calendar year paid for service in employment wages of one thousand five hundred dollars or more except that for the purposes of this definition, wages paid for "agricultural labor" as defined in paragraph (a) of subdivision (1) of subsection 12 of section 288.034 and for "domestic services" as defined in subdivisions (2) and (12) of subsection 12 of section 288.034 shall not be considered;

(2) Any employing unit which for some portion of a day in each of twenty different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year, had in employment at least one individual (irrespective of whether the same individual was in employment in each such day); except that for the purposes of this definition, services performed in "agricultural labor" as defined in paragraph (a) of subdivision (1) of subsection 12 of section 288.034 and in "domestic services" as defined in subdivisions (2) and (12) of subsection 12 of section 288.034 shall not be considered;

(3) Any governmental entity for which service in employment as defined in subsection 7 of section 288.034 is performed;

(4) Any employing unit for which service in employment as defined in subsection 8 of section 288.034 is performed during the current or preceding calendar year;

(5) Any employing unit for which service in employment as defined in paragraph (b) of subdivision (1) of subsection 12 of section 288.034 is performed during the current or preceding calendar year;

(6) Any employing unit for which service in employment as defined in subsection 13 of section 288.034 is performed during the current or preceding calendar year;

(7) Any individual, type of organization or employing unit which has [acquired substantially all of the business of an employer subject to this law] **been determined to be a successor pursuant to section 288.110**;

(8) Any individual, type of organization or employing unit which has elected to become subject to this law pursuant to subdivision (1) of subsection 3 of section 288.080;

(9) Any individual, type of organization or employing unit which, having become an employer, has not [under] **pursuant to** section 288.080 ceased to be an employer;

(10) Any employing unit subject to the Federal Unemployment Tax Act or which, as a condition for approval of this law for full tax credit against the tax imposed by the Federal Unemployment Tax Act, is required, pursuant to such act, to be an employer [under] **pursuant to** this law.

2. (1) Notwithstanding any other provisions of this law, any employer, individual, organization, partnership, corporation, other legal entity or employing unit that meets the definition of "lessor employing unit", as defined in subdivision (5) of this subsection, shall be liable for contributions on wages paid by the lessor employing unit to individuals performing services for client lessees of the lessor employing unit. Unless the lessor employing unit has timely complied with the provisions of subdivision (3) of this subsection, any employer, individual, organization, partnership, corporation, other legal entity or employing unit which is leasing individuals from any lessor employing unit shall be jointly and severally liable for any unpaid contributions, interest and penalties due [under] **pursuant to** this law from any lessor employing unit attributable to wages for services performed for the client lessee entity by individuals leased to the client lessee entity, and the lessor employing unit shall keep separate records and submit separate quarterly contribution and wage reports for each of its client lessee entities. Delinquent contributions, interest and penalties shall be collected in accordance with the provisions of this chapter.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, any governmental entity or nonprofit organization that meets the definition of "lessor employing unit", as defined in subdivision (5) of this subsection, and has elected to become liable for payments in lieu of contributions as provided in subsection 3 of section 288.090, shall pay the division payments in lieu of contributions, interest, penalties and surcharges in accordance with section 288.090 on benefits paid to individuals performing services for the client lessees of the lessor employing unit. If the lessor employing unit has not timely complied with the provisions of subdivision (3) of this subsection, any client lessees with services attributable to and performed for the client lessees shall be jointly and severally liable for any unpaid payments in lieu of contributions, interest, penalties and surcharges due [under] **pursuant to** this law. The lessor employing unit shall keep separate records and submit separate quarterly contribution and wage reports for each of its client lessees. Delinquent payments in lieu of contributions, interest, penalties and surcharges shall be collected in accordance with subsection 3 of section 288.090. The election to be liable for payments in lieu of contributions made by a governmental entity or nonprofit organization meeting the definition of "lessor employing unit", may be terminated by the division in accordance with subsection 3 of section 288.090.

(3) In order to relieve a client lessees from joint and several liability and the separate reporting requirements imposed [under] **pursuant to** this subsection, any lessor employing unit may post and maintain a surety bond issued by a corporate surety authorized to do business in Missouri in an amount equivalent to the contributions or payments in lieu of contributions for which the lessor employing unit was liable in the last calendar year in which he **or she** accrued contributions or payments in lieu of contributions, or one hundred thousand dollars, whichever amount is the greater, to ensure prompt payment of contributions or payments in lieu of contributions, interest, penalties and surcharges for which the lessor employing unit may be, or becomes, liable [under] **pursuant to** this law. In lieu of a surety bond, the lessor employing unit may deposit in a depository designated by the director, securities with marketable value equivalent to the amount required for a surety bond. The securities so deposited shall include authorization to the director to sell any securities in an amount sufficient to pay any contributions or payments in lieu of contributions, interest, penalties and surcharges which the lessor employing unit fails to promptly pay when due. In lieu of a surety bond or securities as described in this subdivision, any lessor employing unit may provide the director with an irrevocable letter of credit, as defined in section 400.5-103, RSMo, issued by any state or federally chartered financial institution, in an amount equivalent to the amount required for a surety bond as described in this subdivision. In lieu of a surety bond, securities or an irrevocable letter of credit, a lessor employing unit may obtain a certificate of deposit issued by any state or federally chartered financial institution, in an amount equivalent to the amount required for a surety bond as described in this subdivision. The certificate of deposit shall be pledged to the director until release by the director. As used in this subdivision, the term "certificate of deposit" means a certificate representing any deposit of funds in a state or federally chartered financial institution for a specified period of time which earns interest at a fixed or variable rate, where such funds cannot be withdrawn prior to a specified time without forfeiture of some or all of the earned interest.

(4) Any lessor employing unit which is currently engaged in the business of leasing individuals to client lessees shall comply with the provisions of subdivision (3) of this subsection by September 28, 1992. Lessor employing units not currently engaged in the business of leasing individuals to client lessees shall comply with subdivision (3) of this subsection before entering into a written lease agreements with client lessees.

(5) As used in this subsection, the term "lessor employing unit" means an independently established business entity, governmental entity as defined in subsection 1 of section 288.030 or nonprofit organization as defined in subsection 3 of section 288.090 which, pursuant to a written lease agreement between the lessor employing unit and the client lessees, engages in the business of providing individuals to any other employer, individual, organization, partnership, corporation, other legal entity or employing unit referred to in this subsection as a client lessee.

(6) The provisions of this subsection shall not be applicable to private employment agencies who provide their employees to employers on a temporary help basis provided the private employment agencies are liable as employers for the payment of contributions on wages paid to temporary workers so employed.

3. After September 30, 1986, notwithstanding any provision of section 288.034, for the purpose of this law, in no event shall a for-hire motor carrier as regulated by the Missouri division of transportation or whose operations are confined to a commercial zone be determined to be the employer of a lessor as defined in section 288.030 or of a driver receiving remuneration from a lessor, provided, however, the term "for-hire motor carrier" shall in no event include an organization described in section 501(c)(3) of the Internal Revenue Code or any governmental entity.

4. The owner or operator of a beauty salon or similar establishment shall not be determined to be the employer of a person who utilizes the facilities of the owner or operator but who receives neither salary, wages or other compensation from the owner or operator and who pays the owner or operator rent or other payments for the use of the facilities."; and

Further amend said bill, Page 14, Section 288.110, Line 39, by deleting the words and subdivision indicator "**:**

(1) At" and inserting in lieu thereof the following: "**at**"; and

Further amend said bill, Page 14, Section 228.110, Line 42, by deleting the following: "**;**

(2)" and inserting in lieu thereof the following: "**.**"; and

Further amend said bill, Page 14, Section 228.110, Line 47, by inserting after the word "**entity**" the following: "**of the predecessor,**"; and

Further amend said bill, Page 14, Section 288.110, Line 48, by deleting the following: "**;**

(3) Ownership of the business entity is by an individual or individuals with the same interest or interests"; and

Further amend said bill, Page 14, Section 228.110, Line 52, by deleting the words "**regardless of marital status,**"; and

Further amend said bill, Page 14, Section 228.110, Line 52, by deleting the words "**or parents**"; and

Further amend said bill, Page 14, Section 228.110, Line 65, by deleting the subsection indicator "**4.**"; and

Further amend said bill, Page 14, Section 228.110, Line 71, by deleting the subsection indicator "**5.**" and inserting in lieu thereof the following: "**4.**"; and

Further amend said bill, Page 14, Section 228.110, Line 71, by deleting the words "**or successors stand**" and inserting in lieu thereof the following: "**stand**"; and

Further amend said bill, Page 15, Section 228.110, Lines 76 through 88, by deleting all of said lines and inserting in lieu thereof the following:

"**5. If only a portion of any asset or liability activity of the predecessor is transferred, the successor shall stand in the position of the predecessor and shall receive a proportionate share of the predecessor's separate account, actual contribution and benefit experience and annual payroll as determined by the portion of the predecessor's taxable payroll applicable to the portion of the asset or liability or activity acquired. The predecessor shall remain fully liable for its current or delinquent contributions or both, payments in lieu of contributions, interest and penalties. The successor shall also be jointly and severally liable with the predecessor for a proportionate share of the predecessor's current or delinquent contributions or both, payments in lieu of contributions, interest and penalties of the predecessor in the same proportionate share as provided for in this section.**"; and

Further amend said bill, Page 15, Section 228.110, Line 89, by deleting the subsection indicator "**7.**" and inserting in lieu thereof the following: "**6.**"; and

Further amend said bill, Page 15, Section 288.113, Line 10, by inserting after all of said line the following:

"[288.114. Effective September 30, 1995, any person who is defined as an employer or employing unit pursuant to this chapter and chapter 287, RSMo, but whose employees are not eligible for benefits under either or both chapters shall not be required to pay any taxes otherwise imposed under those chapters to the extent that the person's employees are not eligible for benefits.]".

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 782 - Budget (Fiscal Note)

HCS HB 945 - Budget (Fiscal Note)

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1629, introduced by Representatives Leake and Brown, et al, relating to air conservation.

COMMITTEE CHANGES

Representative Barry appointed a member to the Education - Elementary and Secondary Committee; Professional Registratiion and Licensing Committee; and Public Health and Safety Committee.

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, March 21, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-First Day, Monday, March 18, 1996, page 2, by inserting after Line 5 the following: "Representative Kauffman offered House Resolution No. 483, which was referred to the Committee on Miscellaneous Bills and Resolutions."

Correct House Journal, Forty-Second Day, Tuesday, March 19, 1996, pages 3 and 4, roll call, by showing Representative Howerton voting "aye" rather than "absent with leave".

Pages 3 and 4, roll call, by showing Representative Murray (135) voting "aye" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

Page 5, roll call, by showing Representative Troupe voting "aye" rather than "absent with leave".

Page 9, roll call, by showing Representative Montgomery voting "no" rather than "absent with leave".

Page 9, roll call, by showing Representatives O'Toole and O'Neill voting "aye" rather than "absent with leave".

Pages 11 and 12, roll call, by showing Representative Luetkenahaus voting "present" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 13 and 14, roll call, by showing Representative Kreider voting "no" rather than "absent with leave".

Pages 15 and 16, roll call, by showing Representative Ballard voting "aye" rather than "absent with leave".

Page 27, roll call, by showing Representative Stokan voting "no" rather than "absent with leave".

Page 32, Line 13, by deleting the words " it Do Pass" and inserting in lieu thereof the following "the House Committee Substitute Do Pass"

COMMITTEE MEETINGS

BUDGET

Thursday, March 21, 1996, 8:30 am. Hearing Room 9. Continuation of

hearings on appropriations bills. Possible markup and executive session.

CONSUMER PROTECTION

Thursday, March 21, 1996, 9:45 am. Side gallery. Executive session.

Forty-third Day-Wednesday, March 20, 1996

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, March 21, 1996, 9:30 am. Side Gallery. (River Side) Executive

Session on Following Bills

To be considered - HB 1337, HB 1039, HB 808, HB 1542, HB 1209, HB 1462

ENERGY AND ENVIRONMENT

Thursday, March 21, 1996, 9:00 am. Hearing Room 8. Informational hearing

on Conoco propane storage caverns.

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, March 21, 1996, 9:45 am. Side gallery. Executive session.

To be considered - HCR 9, SB 670

PROFESSIONAL REGISTRATION & LICENSING

Thursday, March 21, 1996, 9:00 am. Hearing Room 5. Executive session.

To be considered - HB 1585, SB 693

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Thursday, March 21, 1996, 9:00 am. Room 110-B. Executive session.

URBAN AFFAIRS

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 2. Executive session may follow.

To be considered - HB 1525, SB 818

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 25, 1996, 8:00 pm. Hearing Room 5

To be considered - SB 783, HB 1461

HOUSE CALENDAR

FORTY-FOURTH DAY, THURSDAY, MARCH 21, 1996

HOUSE BILL FOR SECOND READING

HB 1629

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1172 - Jacob
2 HB 1243, HCA 1 - Farmer
3 HCS HB 1207, 1288, 1408 & 1409 - Tate
4 HB 985 - Franklin
5 HB 1368 - May (108)
6 HCS HB 1363 - Mays (50)
7 HB 1113 - Stoll
8 HB 811 - Smith
9 HB 962 - Lumpe
10 HB 1361, HCA 1, Gibbons - Treadway
11 HCS HB 1372 - Mays (50)
12 HCS HB 1174 & 1309 - May (108)
13 HCS HB 1159, 842 & 799 - Jacob
14 HB 908, HCA 1 Thomason (163) - Ross
15 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
16 HB 852, HCA 1 - Canuteson
17 HCS HB 999 - Treadway
18 HCS HB 1186 - Hoppe
19 HCS HB 1237 - Rizzo
20 HB 1241 - Witt
21 HCS HB 1185 - McClelland
22 HB 839 - Luetkenhaus
23 HB 1411 - Loudon

24 HCS HB 1149, 1150 & 1240 - Jacob
25 HCS HB 894 - Bray
26 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
27 HB 1380 - Lumpe
28 HCS HB 1557 & 1489 - Days
29 HCS HB 987, 1155, 1158 & 1219 - Jacob
30 HCS HB 1403 - Dougherty
31 HB 1247 - Shelton (57)
32 HCS HB 1588 - Overschmidt
33 HB 944, HCA 1 - Smith
34 HB 1154 - Murray (69)
35 HCS HB 1540 - Green
36 HB 993 - Williams (121)
37 HB 854 - Bland

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 18, 1996)

1 HB 1260 - Lumpe
2 HB 1564 - O'Toole
3 HB 1504 - Schwab
4 HB 1044 - Montgomery
5 HB 1223 - Marshall (133)
6 HB 819 - Backer
7 HB 1286 - Pryor

(March 21, 1996)

8 HB 1544 - Richardson
9 HB 1466 - Rizzo

HOUSE BILLS FOR THIRD READING

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HCS HB 945, (Budget Fiscal 3-20-96) - Smith

HB 782, (Budget Fiscal 3-20-96) - Stokan

HS HCS HB 980 - Farnen

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1295 - Gunn
2 HB 1101 - Franklin
3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans
6 HB 1168 - Crum (112)
7 HB 956 - Van Zandt
8 HB 1117 - Green
9 HB 1523 - Linton
10 HB 1055 - Overschmidt
11 HB 1537 - Treadway
12 HB 1359 - Green
13 HB 1566 - Richardson
14 HB 1428 - Leake
15 HB 1473, E.C. - Shear (83)
16 HB 1110 - Treadway
17 HB 1076 - Childers
18 HB 1166 - McClelland

19 HB 1420 - Sears (1)
20 HB 1305 - Gratz
21 HB 1440 - Backer
22 HB 1315 - Schwab
23 HB 918 - Hosmer
24 HB 1477 - Farnen
25 HB 1131 - Kreider
26 HB 1369 - Thomason (163)
27 HB 1431 - Shields
28 HB 1304 - Hosmer
29 HB 1533 - Ostmann

SENATE JOINT RESOLUTION FOR SECOND READING

SCS SJR 31

SENATE BILLS FOR SECOND READING

1 SB 501
2 SB 572
3 SB 643
4 SB 683
5 SS SB 709
6 SB 773
7 SB 527
8 SB 834
9 SCS#2 SB 860
10 SB 930

SENATE BILLS FOR THIRD READING

SCS SB 735, HCA 1,E.C. - Liese

HCS SS SB 687, E.C. - Lumpe

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 226, (3-7-96, pgs. 25 & 26) - Dougherty

COURTESY RESOLUTIONS

HR 460 - Enz

HR 461 - Enz

HR 462 - Loudon

HR 463 - Ridgeway

HR 464 - Ridgeway

HR 465 - O'Toole

HR 466 - Auer

HR 467 - Richardson

HR 468 - Scott

HR 469 - Clayton

HR 470 - Mays (50)

HR 471 - Kreider

HR 472 - Sears (1)

HR 473 - Hosmer

HR 474 - Backer

HR 475 - Marshall (26)

HR 476 - Marshall (26)

HR 477 - Backer

HR 478 - Backer

HR 479 - Fiebelman

HR 480 - Marshall (26)

HR 481 - Kauffman

HR 482 - Kauffman

HR 483 - Kauffman

HR 485 - Childers

HR 486 - Gratz

HR 487 - Boucher

HR 488 - Prost

HR 489 - Lumpe

HR 490 - Nordwald

HR 491 - Nordwald

HR 492 - Smith

HR 493 - Kelley (47)

HR 494 - Surface

HR 495 - Donovan

HR 496 - Thompson (37)

HR 497 - Gaw

HR 498 - Gaw

HR 499 - Gaw

HR 500 - Marshall (26)

HR 501 - Wannenmacher

HR 502 - Stoll

HR 503 - Troupe

HR 504 - McClelland

HR 505 - Steen

HR 506 - Richardson

HR 507 - Clayton

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House Journal

Second Regular Session, 88th General Assembly

FORTY-FOURTH DAY, Thursday, March 21, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"To everything there is a season, and a time for every matter under heaven..." (Ecclesiastes 3:1, RSV)

On this first day of spring, O Lord of all that is, we are aware of the changing of the seasons. It's in the warming of the air, it's in the small buds poking through, it's in the robins hopping across the still-brown lawns. And it's in our nature to feel the stirring of new life as it promises to burst forth in the birth of this season. In this House new ideas and new challenges are brought before us. Guide as we give consideration to the new. Strengthen us as we must deal with those things that have lost their newness. As the closing days grow closer, give us energy and encouragement to complete what we began.

And now we ask your protection, O God, on those who must travel; we ask your comforting hand on those families with special needs; we ask your guidance as we work our way through the things we must deal with on this day. Give these representatives and employees of this body a weekend of deserved rest and return them safely to continue another day. And thank you, God, for spring. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Haley Briggs, Lyla Freshwater, Freddie Frenny, Crystal McClone, Sharif Musaji, Clifford Heeley, Rachel Gehner, Jarrod E. Grebing, James Spring, Benjamin Spring, Jack Fields and Mary Theda Owens.

The Journal of the forty-third day was approved as corrected.

RESOLUTIONS

Representative Backer offered House Resolution No. 508, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 509, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hendrickson offered House Resolution No. 510, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 511, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hohulin offered House Resolution No. 512, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 513, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Murray (69) offered House Resolution No. 514, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 515, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 516, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Wieland and Broach offered House Resolution No. 517, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 518, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 519, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gibbons offered House Resolution No. 520, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Summers and Sears (1) offered House Resolution No. 521, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution No. 522, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 460 through 483 and House Resolution Nos. 485 through 507 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 460 through 483 and House Resolution Nos. 485 through 507 were adopted.

SECOND READING OF HOUSE BILL

HB 1629 was read the second time.

SECOND READING OF SENATE JOINT RESOLUTION

SCS SJR 31was read the second time.

SECOND READING OF SENATE BILLS

SB 501, SB 572, SB 643, SB 683, SS SB 709, SB 773, SB 527, SB 834, SCS#2 SB 860, and **SB 930** were read the second time.

MOTION

Representative McLuckie, having voted on the prevailing side, moved that the vote by which **HS HCS HBs 1301 and 1298, as amended,** was ordered perfected and printed and the vote by which **HS HCS HBs 1301 and 1298, as amended**, was adopted be reconsidered.

Which motion was adopted by the following vote:

AYES: 148

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Legan
Levin	Liese	Linton	Lograsso	Long

Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Mr. Speaker		

NOES: 007

Clayton	Franklin	Hegeman	Hohulin	Leake
Thomason 163	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer	Bland	Copeland	Goward	Naeger

Ribaudo

VACANCY: 002

PREFECTION OF HOUSE BILL

HCS HBs 1301 and 1298, with HS, as amended, pending, relating to school safety, was again taken up by Representative McLuckie.

Representative Loudon offered House Amendment No. 6.

House Amendment No. 6 was withdrawn.

Representative Loudon offered House Amendment No. 6.

Forty-fourth Day-Thursday, March 21, 1996

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1301 and 1298, Page 5, Section 160.261, Line 3 by inserting after the word school the following:

"And for a student who is determined by the superintendent of the local district to havetes committed assault upon an employee or student of the school district."

Representative Loudon offered House Substitute Amendment No. 1 for House Amendment No. 6.

House Substitute Amendment No. 1

for

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1301 and 1298, Page 5, Section 160.261, Line 3 by inserting after the word school the following:

"And for a student who is determined by the superintendent of the local school district to have committed an act of violence defined as an execution of force with the intent to do serious bodily harm upon an employee of the school district."

Representative Loudon moved that House Substitute Amendment No. 1 for House Amendment No. 6 be adopted.

Which motion was defeated by the following vote:

AYES: 072

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Brown	Burton	Champion
Childers	Chrismer	Cierpiot	Cooper	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Hand	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Kelley 47	Legan	Levin	Linton
Lograsso	Long	Loudon	Marble	Marshall 133
McClelland	Mitchell	Murphy	Murray 135	Oetting
Ostmann	Pouche	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Sheldon 104	Shields	Sombart	Steen
Summers	Surface	Treadway	Vogel	Wannenmacher
Whiteside	Wieland			

NOES: 082

Auer	Backer	Barry	Bennett 15	Bland
Bonner	Boucher	Bray	Canuteson	Carter
Clayton	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Green	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kelly 27	Kissell	Klumb	Koller	Kreider
Leake	Liese	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McBride	McLuckie	Montgomery
Morgan	Murray 69	Nordwald	O'Connor	O'Neill
O'Toole	Overschmidt	Pauley	Prost	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Troupe	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland	Goward	Hall	Keeven	Lakin
Naeger	Ribaudo			

VACANCY: 002

Representative Loudon moved that House Amendment No. 6 be adopted.

Which motion was defeated.

Representative Kauffman offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1301 and 1298, Page 2, Section 160.261, Line 2 by inserting after "**provided to**" the following: "**the parent or legal guardian of**".

On motion of Representative Kauffman, House Amendment No. 7 was adopted.

Representative Troupe offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1301 and 1298, Page 34, Section 8, Line 10, by inserting after said line the following:

"A public school district in any city, not within a county shall adopt a dress code policy requiring pupils to wear a school uniform. The school district may determine the appropriate style and color of the school uniform."

Representative Gibbons offered House Substitute Amendment No. 1 for House Amendment No. 8.

House Substitute Amendment No. 1

for

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1301 and 1298, Page 34, Section 8, Line 10 by inserting after said line the following:

"4. A public school district in any city not within a county shall determine whether a dress code policy requiring pupils to wear a school uniform is appropriate at any school or schools within such district, and if it is so determined, shall adopt such a policy. The school district may determine the style and color of the school uniform."

On motion of Representative Gibbons, House Substitute Amendment No. 1 for House Amendment No. 8 was adopted.

Representative McClelland offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 22, Section 167.171, Line 13 of said page, by inserting immediately after the word "**program.**" the following: "**If a period of one year has expired since the pupil was suspended or expelled and the pupil remains under suspension or expulsion, the district in which the pupil is enrolling or attempting to enroll may refuse to make such suspension or expulsion from another school district effective in that school district.**".

On motion of Representative McClelland, House Amendment No. 9 was adopted.

Representative Ostmann offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 4, Section 160.261, Line 10 of said page, by inserting immediately after the word "**district**" the following: "**or while involved in school activities**"; and

Further amend said bill, Page 9, Section 160.261, Line 5 of said page, by deleting the words "forty-eight hours" and inserting in lieu thereof the words "[forty-eight hours] **two working days**"; and

Further amend said bill, Page 13, Section 167.020, Line 16 of said page, by deleting the words "**seventy-two hours**" and inserting in lieu thereof the words "**three working days**"; and

Further amend said bill, Page 15, Section 167,020, Line 12 of said page, by deleting the words "**forty-eight hours**" and inserting in lieu thereof the words "**two working days**"; and

Further amend said bill, Page 26, Section 1, Line 18 of said page, by deleting the words "**ten or more days**" and inserting in lieu thereof the words "**more than ten days**".

Representative Smith requested a division of the question.

House Amendment No. 10

PART I

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 4, Section 160.261, Line 10 of said page, by inserting immediately after the word "**district**" the following: "**or while involved in school activities**"; and

Further amend said bill, Page 9, Section 160.261, Line 5 of said page, by deleting the words "forty-eight hours" and inserting in lieu thereof the words "[forty-eight hours] **two working days**"; and

Further amend said bill, Page 13, Section 167.020, Line 16 of said page, by deleting the words "**seventy-two hours**" and inserting in lieu thereof the words "**three working days**"; and

Further amend said bill, Page 15, Section 167,020, Line 12 of said page, by deleting the words "**forty-eight hours**" and inserting in lieu thereof the words "**two working days**"; and

PART II

Further amend said bill, Page 26, Section 1, Line 18 of said page, by deleting the words "**ten or more days**" and

inserting in lieu thereof the words "**more than ten days**".

On motion of Representative Ostmann, Part I of House Amendment No. 10 was adopted.

Representative Ostmann moved that Part II of House Amendment No. 10 be adopted.

Which motion was defeated.

Representative Reynolds offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 1, Section 160.261, Line 7 of said page, by inserting immediately after the word "district" the following: "**, with the assistance of a parent-teacher advisory committee established by the local board and local law enforcement agencies,**"; and

Further amend said bill, Page 2, Section 160.261, Line 2 of said page, by deleting the word "**at**" and inserting in lieu thereof the following: "**within fifteen days after**"; and

Further amend said bill, Page 2, Section 160.261, Line 3 of said page, by inserting immediately after the word "**year**" the following: "**or within fifteen days after starting classes for a pupil who transfers into the district during the school year**".

Speaker Pro Tem Daniels assumed the Chair.

Representative Reynolds moved that House Amendment No. 11 be adopted.

Which motion was defeated.

Representative Hosmer offered House Amendment No. 12.

Representative McLuckie raised a point of order that House Amendment No. 12 is not germane to the bill.

The Speaker resumed the Chair.

The Chair ruled the point of order well taken.

Representative Heckemeyer offered House Amendment No. 12.

House Amendment No. 12

AMEND House Amendment Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 5, Section 160.261, Line 17 of said page, by inserting immediately after the word "**knife**." the following: "**The local board of education shall define "weapon" in the discipline policy. Such definition shall include the weapons defined in this subsection but may also include other weapons.**".

On motion of Representative Heckemeyer, House Amendment No. 12 was adopted.

On motion of Representative McLuckie, **HS HCS HBs 1301 and 1298, as amended,** was adopted.

On motion of Representative McLuckie, **HS HCS HBs 1301 and 1298, as amended,** was ordered perfected and printed.

RECOMMITTAL OF HOUSE BILL

The following House Bill was recommitted to the Committee indicated:

HB 1597 - Ways and Means

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 11 - Miscellaneous Bills and Resolutions

COMMITTEE REPORTS

Committee on Agriculture, Chairmen Leake and Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1572**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Agriculture, to which was referred **HB 1212**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1013**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1160**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1160, Page 2, Section 453.026, Line 16, by striking out the word "**addition**" and inserting in lieu thereof the word "**addiction**"; and

Further amend said bill, Page 2, Section 453.026, Lines 46 and 47, by striking out all of said lines; and

Further amend said bill, Page 2, Section 453.026, Line 48, by striking out the numeral "**5**" and inserting in lieu thereof the numeral "**6**"; and

Further amend said bill, Page 3, Section 453.026, Line 50, by striking out the numeral "**6**" and inserting in lieu thereof the numeral "**5**"; and

Further amend said bill, Page 3, Section 453.026, Line 52, by striking out the numeral "**7**" and inserting in lieu thereof the numeral "**6**"; and

Further amend said bill, Page 3, Section 453.080, Line 9, by inserting immediately after the word "contact" the following: "**and the exchange of identifying information**"; and

Further amend said bill, Page 3, Section 453.080, Line 12, by inserting immediately after the word "**contact**" the following: "**or exchange of information**".

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **HB 1505**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1050**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1245**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1370**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1574**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1575**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1579**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill 1579, Page 1, Section 544.159, Line 7 by deleting the words "making an arrest or"

Further amend said bill by deleting all of lines 9 thru 11.

Further amend said bill by renumbering the remaining subsections. Line 12 becomes subsection (1), and line 15 becomes subsection (2).

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 843**, begs leave to report it has examined the same and recommends that it **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 892**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 892, Page 2, Section 2, Lines 18 and 19, by deleting the words "and not by members,

regular employees or volunteers of the charitable organization."

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 906**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HB 1598**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Correctional and State Institutions, Chairman Crump (152) reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1419**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1580**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1580, Page 1, Section 217.600, Line 1, by inserting after the "comma" on said line the following:

"**housing inmates with custody levels of one, two, or three,**; and further amend said section, Page 2, Line 28, by inserting immediately after the word "reasonable" the following "**locating it either inside the perimeter fence or outside as determined by the director of the department.**"

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1601**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **HB 1604**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 808**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1039**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1337, HB 1225, HB 1235, HB 1211 and HB 1124**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Education - Higher, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 857**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 919**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 957**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 957, Page 2, Section 172.287, Line 19, by deleting all of said line and inserting in lieu thereof the following:

"4. The provisions of this section shall terminate on [June 30, 1997] **June 30, 2007**."

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1138**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1373**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Education - Higher, to which was referred **HB 1471**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 996**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1424**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on State Parks, Recreation and Natural Resources, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Recreation and Natural Resources, to which was referred **HB 1610**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 934, HB 952, HB 1031 and HB 1293**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1630, introduced by Representative Hand, relating to motor vehicle traffic regulations.

HB 1631, introduced by Representative McLuckie, relating to neighborhood assistance.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 662**, entitled:

An act to repeal section 260.831, RSMo 1994, relating to removing the sunset date on landfill fees for economic development in certain counties only and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 726**, entitled:

An act to amend chapter 192, RSMo, by adding one new section relating to public health and welfare.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 883**, entitled:

An act to repeal sections 376.854, 376.859, 376.864, 376.869, 376.879 and 376.886, RSMo 1994, relating to medicare supplement insurance, and to enact in lieu thereof six new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 900**, entitled:

An act to repeal section 104.090, RSMo 1994, relating to retirement of state officers and employees, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 914**, entitled:

An act to repeal sections 110.130, 110.140, 110.150, 140.170 and 140.190, RSMo 1994, relating to county government, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 933**, entitled:

An act to amend, chapter 311, RSMo, by adding one new section relating to the auction of vintage wine, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 940**, entitled:

An act to authorize the governor of the state of Missouri to convey certain land of the department of mental health located in the city of St. Louis.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 947**, entitled:

An act relating to the conveyance of certain property in St. Francois and Buchanan Counties.

In which the concurrence of the House is respectfully requested.

Forty-fourth Day-Thursday, March 21, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, March 25, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Third Day, Wednesday, March 20, 1996, page 8, line 17, by inserting after number "502", the following: "503, 504, 505, 506 and 507".

Page 2, roll call, by showing Representatives Stokan and Kasten voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representatives Davis and Kelly (27) voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representatives Howerton and Donovan voting "no" rather than "absent with leave".

Page 9, roll call, by showing Representatives Murphy and Witt voting "present" rather than "absent with leave".

Page 9, roll call, by showing Representative Jacob voting "aye" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representatives Brown and Kelly (27) voting "no" rather than "absent with leave".

Page 13, roll call, by showing Representative Jacob voting "aye" rather than "absent with leave".

Pages 15 and 16, roll call, by showing Representatives Boucher and Loudon voting "aye" rather than "absent with leave".

Page 16, roll call, by showing Representative Jacob voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Monday, March 25, 1996, 2:00 pm. Hearing Room 9. Mark-up and executive session.

To be considered - HB 1020

BUDGET

Tuesday, March 26, 1996, 8:30 am. Hearing Room 9. Possible executive session to follow.

To be considered - SB 702, HB 800, HB 1249

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 26, 1996, 9:00 am. Hearing Rooms 1 & 2.

To be considered - HB 1616, HB 1625, SB 605

EDUCATION - HIGHER

Wednesday, March 27, 1996. Hearing Room 8 upon morning adjournment.

To be considered - SB 506, SB 694, SB 809

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Monday, March 25, 1996, 8:00 pm. Hearing Room 2.

To be considered - HR 347, SB 537, SCR 18, SCR 19, SCR 24

JUDICIARY AND ETHICS

Tuesday, March 26, 1996. Hearing Room 5 upon morning adjournment.

Executive session may follow. Amended Notice

To be considered - HB 1619, SB 803, SB 494, SB 720, SB 768, SB 578, HB 1612

LABOR

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 8

To be considered - HB 1347, SB 565

LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Monday, March 25, 1996, 1:30 pm. Hearing Room 7. Contested Fiscal Note

To be considered - HB 945

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 26, 1996. Hearing Room 8 upon morning adjournment.

To be considered - SB 532, SB 484, SB 665, SB 904, SB 845

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 5

To be considered - HB 1599, HR 364, SJR 32

URBAN AFFAIRS

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 2. Executive session may follow.

To be considered - HB 1525, SB 818

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, March 25, 1996, 8:00 pm. Hearing Room 5

To be considered - SB 783, HB 1461

HOUSE CALENDAR

FORTY-FIFTH DAY, MONDAY, MARCH 25, 1996

HOUSE BILLS FOR SECOND READING

HB 1630 and HB 1631

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1013 - Green

HOUSE BILLS FOR PERFECTION

1 HCS HB 1172 - Jacob
2 HB 1243, HCA 1 - Farmer
3 HCS HB 1207, 1288, 1408 & 1409 - Tate
4 HB 985 - Franklin
5 HB 1368 - May (108)

6 HCS HB 1363 - Mays (50)
7 HB 1113 - Stoll
8 HB 811 - Smith
9 HB 962 - Lumpe
10 HB 1361, HCA 1, Gibbons - Treadway
11 HCS HB 1372 - Mays (50)
12 HCS HB 1174 & 1309 - May (108)
13 HCS HB 1159, 842 & 799 - Jacob
14 HB 908, HCA 1 Thomason (163) - Ross
15 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
16 HB 852, HCA 1 - Canuteson
17 HCS HB 999 - Treadway
18 HCS HB 1186 - Hoppe
19 HCS HB 1237 - Rizzo
20 HB 1241 - Witt
21 HCS HB 1185 - McClelland
22 HB 839 - Luetkenhaus
23 HB 1411 - Loudon
24 HCS HB 1149, 1150 & 1240 - Jacob
25 HCS HB 894 - Bray
26 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
27 HB 1380 - Lumpe
28 HCS HB 1557 & 1489 - Days
29 HCS HB 987, 1155, 1158 & 1219 - Jacob
30 HCS HB 1403 - Dougherty
31 HB 1247 - Shelton (57)
32 HCS HB 1588 - Overschmidt
33 HB 944, HCA 1 - Smith
34 HB 1154 - Murray (69)
35 HCS HB 1540 - Green
36 HB 993 - Williams (121)
37 HB 854 - Bland

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 832, as amended - Montgomery

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

HOUSE BILLS FOR PERFECTION - CONSENT

(March 18, 1996)

1 HB 1260 - Lumpe
2 HB 1564 - O'Toole
3 HB 1504 - Schwab
4 HB 1044 - Montgomery
5 HB 1223 - Marshall (133)
6 HB 819 - Backer
7 HB 1286 - Pryor

(March 21, 1996)

8 HB 1554 - Richardson
9 HB 1466 - Rizzo

(March 25, 1996)

10 HB 1419 - Backer
11 HB 1604 - Burton
12 HB 1601 - Backer
13 HB 1610 - Farnen

HOUSE BILLS FOR THIRD READING

1 HCS HB 800, 812, 817 & 821, (Budget Fiscal 3-4-96) - Hosmer
2 HB 1377, (Budget Fiscal 3-4-96) - Bland
3 HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole
4 HCS HB 945, (Budget Fiscal 3-20-96) - Smith
5 HB 782, (Budget Fiscal 3-20-96) - Stokan
6 HS HCS HB 980 - Farnen
7 HS HCS HB 1169 & 1271 - Williams (121)
8 HCS HB 1099 - Williams (159)

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1295 - Gunn
2 HB 1101 - Franklin
3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans
6 HB 1168 - Crum (112)
7 HB 956 - Van Zandt
8 HB 1117 - Green
9 HB 1523 - Linton
10 HB 1055 - Overschmidt
11 HB 1537 - Treadway
12 HB 1359 - Green
13 HB 1566 - Richardson
14 HB 1428 - Leake
15 HB 1473, E.C. - Shear (83)
16 HB 1110 - Treadway
17 HB 1076 - Childers
18 HB 1166 - McClelland
19 HB 1420 - Sears (1)
20 HB 1305 - Gratz
21 HB 1440 - Backer
22 HB 1315 - Schwab
23 HB 918 - Hosmer
24 HB 1477 - Farnen
25 HB 1131 - Kreider
26 HB 1369 - Thomason (163)
27 HB 1431 - Shields
28 HB 1304 - Hosmer
29 HB 1533 - Ostmann

SENATE BILLS FOR SECOND READING

1 SCS SB 662
2 SCS SB 726
3 SB 883
4 SB 900
5 SB 914
6 SB 933
7 SB 940
8 SB 947

SENATE BILLS FOR THIRD READING

SCS SB 735, HCA 1,E.C. - Liese

HCS SS SB 687, E.C. - Lumpe

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HCR 8, (3-20-96 pgs. 21 & 22) - Wooten

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 226, (3-7-96, pgs. 25 & 26) - Dougherty

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House Journal

Second Regular Session, 88th General Assembly

FORTY-FIFTH DAY, Monday, March 25, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"I will give over to him your authority... he shall be a father to (the city)." (Is. 22:21).

Once again we begin with a surprise from Mother Nature, a January-style winter day instead of a spring one. We remember those whose lives are most disrupted by this kind of day.

Soon (when spring weather comes and stays!), we will be seeing more of the phenomenon which is always present in this building, the presence of many ordinary citizens coming in person to meet you, their representatives and senators and the Governor.

This afternoon, we thank you, gracious God, that the direct personal meeting between those who govern and their employers, the citizens, has not been replaced by faxes, photo ops. for the evening news at airports and one line quotes from floor speeches on the radio networks. We regret that more people do not take an interest and do not vote. We pray for our constituents and for the citizenry in general, that they will care enough to make their voices heard and their faces known to us. Continue to pour out a spirit of wisdom and caring on them and a listening spirit on the legislative and executive branches in all that we do. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Danielle Fallon, Ingrid Gabbert, Camille Ehlers, Mathew Perkins, Jesse Perkins, Emily Perkins and Micheal Jones.

The Journal of the forty-fourth day was approved as corrected.

RESOLUTIONS

Representative Murray (135), et al, offered House Resolution No. 523, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum (112) offered House Resolution No. 524, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 525, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution Nos. 526 through 528, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Brown offered House Resolution No. 529, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gross offered House Resolution Nos. 530 through 532, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bennett offered House Resolution No. 533, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ostmann offered House Resolution Nos. 534 and 535, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stokan offered House Resolution No. 536, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sombart offered House Resolution No. 537, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gaw and Kauffman offered House Resolution No. 538, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution Nos. 539 through 548, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 549, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Nordwald offered House Resolution No. 550, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1630 and **HB 1631** were read the second time.

SECOND READING OF SENATE BILLS

SCS SB 662, SCS SB 726, SB 883, SB 900, SB 914, SB 933, SB 940, and **SB 947** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1260, HB 1564, HB 1504, HB 1044, HB 1223, HB 819 and HB 1286 (CONSENT)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1301 & 1298, HCS HB 1099 and HS HCS HB 1169 & 1271**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget (Fiscal Note), to which was referred **HCS HB 945**, begs leave to report it has **been furnished an updated fiscal note and does not require Budget Committee fiscal review.**

Committee on Energy and Environment, Chairman Garnett reporting:

Mr. Speaker: Your Committee on Energy and Environment, to which was referred **HB 1345**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1506**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 12 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 484 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HBs 1169 & 1271 - Budget (Fiscal Note)

HS HCS HBs 1301 & 1298 - Budget (Fiscal Note)

HB 1626 - Municipal Corporations

HB 1627 - Civil and Criminal Law

HB 1628 - Local Government and Related Matters

HB 1629 - Energy and Environment

HB 1630 - Motor Vehicle and Traffic Regulations

HB 1631 - Local Government and Related Matters

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 835 - Civil and Criminal Law

THIRD READING OF HOUSE BILLS

HCS HB 945, relating to environmental audit privilege, was taken up by Representative Smith.

On motion of Representative Smith, **HCS HB 945** was read the third time and passed by the following vote:

AYES: 087

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Copeland	Crum 112	Crump 152	Edwards-Pavia	Elliott
Enz	Evans	Fiebelman	Foster	Garnett
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Koller
Kreider	Leake	Legan	Levin	Linton
Lograsso	Long	Loudon	Marshall 133	Mays 50
Mitchell	Montgomery	Murphy	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Richardson	Robirds	Ross
Sallee	Schwab	Secrest	Sheldon 104	Shields
Smith	Sombart	Steen	Summers	Surface
Thomason 163	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

NOES: 067

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Clayton
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fitzwater	Foley
Franklin	Green	Gunn	Hagan-Harrell	Harlan
Hickey	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Lakin	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	McBride	McClelland	McLuckie
Morgan	Murray 69	O'Connor	O'Neill	O'Toole
Pauley	Reynolds	Ridgeway	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Shelton 57	Skaggs
Stokan	Stoll	Tate	Thompson 37	Treadway
Troupe	Van Zandt	Ward	Wiggins	Williams 121
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Froelker	Goward	Hoppe	Marble
Ribaudo	Scott			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Thomason (163) moved that motion lay on the table.

The latter motion prevailed.

HS HCS HB 980, relating to governing boards, was taken up by Representative Farnen.

On motion of Representative Farnen, **HS HCS HB 980** was read the third time and passed by the following vote:

AYES: 144

Akin	Alter	Auer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	

NOES: 008

Backer	Jacob	Marshall 26	Montgomery	Murphy
Sheldon 104	Van Zandt	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Ford	Froelker	Goward	Hoppe	Marble
Oetting	Ribaudo	Scott	Thompson 37	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1099, relating to commercial feed law, was taken up by Representative Williams (159).

On motion of Representative Williams (159), **HCS HB 1099** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Daniel 42	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McLuckie	Mitchell
Montgomery 135	Morgan	Murphy	Murray 69	Murray
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab 104	Sears 1	Secrest	Shear 83	Sheldon
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Boucher	Clayton	Crump 152	Daniels 41	Ford
Froelker	Goward	Hoppe	Jacob	Marble
McClelland 37	Reynolds	Ribaudo	Scott	Thompson

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Ward, title to the bill was agreed to.

Representative Prost moved that the vote by which the bill passed be reconsidered.

Representative Klumb moved that motion lay on the table.

The latter motion prevailed.

Forty-fifth Day-Monday, March 25, 1996

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1013, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1013** was adopted.

On motion of Representative Green, **HCS HB 1013** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - FEDERAL MANDATE

HB 976, relating to motor vehicle records, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HB 976** was ordered perfected and printed.

HCS HBs 1376 and 1501, relating to special education, was taken up by Representative Fitzwater.

Speaker Pro Tem Daniels assumed the Chair.

On motion of Representative Fitzwater, **HCS HBs 1376 and 1501** was adopted.

On motion of Representative Fitzwater, **HCS HBs 1376 and 1501** was ordered perfected and printed.

PERFECTION OF HOUSE BILL - INFORMAL

HB 832, **as amended**, relating to veterans cemeteries, was again taken up by Representative Montgomery.

Representative Montgomery offered **HS HB 832**.

On motion of Representative Montgomery, **HS HB 832** was adopted.

On motion of Representative Montgomery, **HS HB 832** was ordered perfected and printed.

The Speaker resumed the Chair.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

ABSENT WITH LEAVE: 011

Bray	Ford	Froelker	Goward	Hoppe
Loudon	Marble	Ribaudo	Scott	Thompson 37

Ward

VACANCY: 002

PERFECTION OF HOUSE BILL

HB 1243, with House Committee Amendment No. 1, relating to outdoor advertising, was taken up by Representative Farmer.

Representative Farmer offered **HS HB 1243**.

Representative Farmer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1243, Section 226.540, Page 8, Line 21 of said page, by inserting after the word "**advertising**" the following: "**, though such prohibition shall not be construed to require the removal of any existing signs,**".

Representative Childers offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Bill No. 1243, Page 8, Section 226.540, Line 18, by deleting the words "more strictly" on said line and further amend said section line 19 by deleting the words "than do" and inserting before the words "sections" the words "provisions of" and inserting after the number "226.600" the words "notwithstanding" and further amend said section, Line 21 by deleting the words "may prohibit outdoor advertising or" and further amend said section page 9, line 3 by inserting before the word "the" the words "charge reasonable amounts to reflect the costs of" and further amend said page line 8 by inserting after the word "section" on said line the words "and any constitutional restrictions regarding advertising"

Representative Childers moved that House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 057

Ballard	Bartelsmeyer	Boatright	Broach	Burton
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Crum 112	Crump 152	Elliott	Evans
Fiebelman	Foster	Garnett	Gaskill	Graham
Hartzler 123	Hegeman	Hohulin	Howerton	Kasten
Kelley 47	Koller	Leake	Legan	Lograsso
Loudon	Marshall 133	McBride	Mitchell	Murray
135				
Naeger	Nordwald	Oetting	Overschmidt	Pryor
Ridgeway	Robirds	Ross	Sallee	Schwab
Shields	Sombart	Steen	Summers	Surface
Tate	Treadway	Wannenmacher	Whiteside	Wieland
Wiggins	Wooten			

NOES: 087

Akin	Alter	Auer	Backer	Barnett 4
Barry	Bennett 15	Bland	Bonner	Bray
Brown	Canuteson	Carter	Copeland	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Farmer	Farnen	Fitzwater
Foley	Franklin	Gibbons	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 124	Heckemeyer	
Hendrickson				
Hickey	Hosmer	Jacob	Kauffman	Keeven
Kissell	Kreider	Lakin	Levin	Liese
Linton	Long	Luetkenhaus	Lumpe	Marshall
26				
May 108	Mays 50	McClelland	McLuckie	Morgan
Murphy	Murray 69	O'Connor	O'Toole	Ostmann
Pauley	Pouche	Prost	Reynolds	Rizzo
Scheve	Schilling	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Stokan
Stoll	Thomason 163	Troupe	Van Zandt	Williams
121				
Williams 159	Mr. Speaker			

PRESENT: 002

Kelly 27	Montgomery			

ABSENT WITH LEAVE: 015

Boucher	Ford	Froelker	Goward	Hoppe
Klumb	Marble	O'Neill	Ribaudo	Richardson
Scott	Thompson 37	Vogel	Ward	Witt

VACANCY: 002

HB 1243, with House Committee Amendment No. 1 and House Substitute, and House Amendment No. 1, pending, was laid over.

Forty-fifth Day-Monday, March 25, 1996

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 703**, entitled:

An act to repeal section 376.381, RSMo 1994, relating to mental health expense benefits, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 855**, entitled:

An act to amend chapter 288, RSMo, by adding thereto one new section relating to the withholding of income taxes from unemployment compensation benefits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 888**, entitled:

An act to repeal section 144.025, RSMo 1994, Relating to sales taxes, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 896**, entitled:

An act to repeal sections 375.700 and 375.1218, RSMo 1994, relating to the distribution of assets of dissolved insurers, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 916**, entitled:

An act to repeal section 197.254, RSMo 1994, relating to hospice facilities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 926**, entitled:

An act to repeal section 165.111, RSMo 1994, relating to budgeting by public schools, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 929**, entitled:

An act to repeal section 195.017, RSMo 1994, relating to the regulation of certain drugs, and to enact in lieu thereof three new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 945**, entitled:

An act to repeal section 70.220, RSMo 1994, Relating to cooperation between political subdivisions of the state, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 970**, entitled:

An act to repeal section 290.500, RSMo 1994, and sections 211.181 and 211.185, RSMo Supp. 1995, relating to restitution by juvenile offenders, and to enact three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

RECOMMITTAL OF HOUSE BILL

The following House Bill was recommitted to the Committee indicated:

HB 1340 - Governmental Organization and Review

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1632, introduced by Representative Sallee, et al, relating to candidate filing.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, March 26, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Fourth Day, Thursday, March 21, 1996, page 10, line 13, by inserting after the word "Pass", the following: "by Consent".

Page 11, line 30, by inserting after the word "Pass", the following: "with House Committee Amendment No. 1.

House Committee Amendment No. 1

AMEND House Bill No. 996, Page 2, Lines 13, 14 and 15, by deleting said lines and inserting in lieu thereof the following:

4. If an employee has failed to satisfactorily complete assignments that are in excess of specified caseload standards, good faith efforts to complete such assignments shall be among the factors considered in the employee's performance evaluation and before any disciplinary action is imposed. If an employee's performance evaluation is lowered or discipline is imposed by a supervisor, the employee may file a grievance based on a claim of work expectations that exceed caseload standards, and the employee shall be entitled to an accelerated hearing of that grievance at the department director's level.

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 27, 1996, 1:00 pm. Hearing Room 5. Executive session.

BUDGET

Tuesday, March 26, 1996, 8:30 am. Hearing Room 9. Possible executive

session to follow.

To be considered - SB 702, HB 800, HB 1249

CHILDREN, YOUTH, AND FAMILIES

Wednesday, March 27, 1996, 8:30 am. Hearing Room 5

To be considered - HB 1454, HB 1455

CIVIL AND CRIMINAL LAW

Tuesday, March 26, 1996, 6:00 pm. Hearing Room7. Executive session to

follow. Amended Notice

To be considered - HB 1551, HB 1397, SB 830, SB 657, SB 491, SB 769

CONSUMER PROTECTION

Tuesday, March 26, 1996, 7:00 pm. Hearing Room 1. Executive session may

follow. Amended Notice

To be considered - HB 1615, SB 589, SB 613, SB 630

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, March 26, 1996, 9:00 am. Hearing Rooms 1 & 2.

To be considered - HB 1616, HB 1625, SB 605

EDUCATION - HIGHER

Wednesday, March 27, 1996. Hearing Room 8 upon morning adjournment.

To be considered - SB 506, SB 694, SB 809

Forty-fifth Day-Monday, March 25, 1996

JUDICIARY AND ETHICS

Tuesday, March 26, 1996. Hearing Room 5 upon morning adjournment.

Executive session may follow. Amended Notice

To be considered - HB 1619, SB 803, SB 494, SB 720, SB 768, SB 578, HB 1612

LABOR

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 8

To be considered - HB 1347, SB 565

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, March 26, 1996. Hearing Room 8 upon morning adjournment.

To be considered - SB 532, SB 484, SB 665, SB 904, SB 845

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 27, 1996, 8:30 am. Hearing Room 7

To be considered - HCR 11

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 26, 1996, 1:00 pm. Hearing Room 7. Amended Notice

Executive session may follow.

To be considered - SB 560, HB 1553

MUNICIPAL CORPORATIONS

Wednesday, March 27, 1996. Hearing Room 7 upon morning adjournment.

To be considered - SB 811

PUBLIC HEALTH AND SAFETY

Tuesday, March 26, 1996, 1:00 pm. Hearing Room 9. Executive session may follow.

To be considered - SB 858, HB 1292

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 5

To be considered - HB 1599, HR 364, SJR 32

TRAVEL COMMITTEE

Wednesday, March 27, 1996, 12:30 pm. Hearing Room 7

URBAN AFFAIRS

Tuesday, March 26, 1996, 8:00 pm. Hearing Room 2. Executive session may follow.

To be considered - HB 1525, SB 818

Forty-fifth Day-Monday, March 25, 1996

HOUSE CALENDAR

FORTY-SIXTH DAY, TUESDAY, MARCH 26, 1996

HOUSE BILL FOR SECOND READING

HB 1632

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1172 - Jacob
2 HB 1243, HCA 1, HS & HA 1 pending - Farmer
3 HCS HB 1207, 1288, 1408 & 1409 - Tate
4 HB 985 - Franklin
5 HB 1368 - May (108)
6 HCS HB 1363 - Mays (50)
7 HB 1113 - Stoll
8 HB 811 - Smith
9 HB 962 - Lumpe
10 HB 1361, HCA 1, Gibbons - Treadway
11 HCS HB 1372 - Mays (50)
12 HCS HB 1174 & 1309 - May (108)
13 HCS HB 1159, 842 & 799 - Jacob
14 HB 908, HCA 1 Thomason (163) - Ross
15 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
16 HB 852, HCA 1 - Canuteson
17 HCS HB 999 - Treadway
18 HCS HB 1186 - Hoppe
19 HCS HB 1237 - Rizzo
20 HB 1241 - Witt
21 HCS HB 1185 - McClelland
22 HB 839 - Luetkenhaus
23 HB 1411 - Loudon
24 HCS HB 1149,1150 & 1240 - Jacob
25 HCS HB 894 - Bray
26 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
27 HB 1380 - Lumpe
28 HCS HB 1557 & 1489 - Days
29 HCS HB 987, 1155, 1158 & 1219 - Jacob
30 HCS HB 1403 - Dougherty
31 HB 1247 - Shelton (57)
32 HCS HB 1588 - Overschmidt
33 HB 944, HCA 1 - Smith
34 HB 1154 - Murray (69)
35 HCS HB 1540 - Green
36 HB 993 - Williams (121)
37 HB 854 - Bland

HOUSE BILL FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HOUSE BILLS FOR PERFECTION - CONSENT

(March 21, 1996)

1 HB 1554 - Richardson
2 HB 1466 - Rizzo

(March 25, 1996)

3 HB 1419 - Backer

4 HB 1604 - Burton
5 HB 1601 - Backer
6 HB 1610 - Farnen

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1013 - Green

HOUSE BILLS FOR THIRD READING

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 782, (Budget Fiscal 3-20-96) - Stokan

HS HCS HB 1169 & 1271, (Budget Fiscal 3-25-96) - Williams (121)

HS HCS HB 1301 & 1298, (Budget Fiscal 3-25-96) - McLuckie

HOUSE BILLS FOR THIRD READING - CONSENT

1 HB 1295 - Gunn
2 HB 1101 - Franklin
3 HB 1171 - Tate
4 HB 1524 - Hosmer
5 HB 1362 - Evans
6 HB 1168 - Crum (112)
7 HB 956 - Van Zandt
8 HB 1117 - Green
9 HB 1523 - Linton
10 HB 1055 - Overschmidt
11 HB 1537 - Treadway
12 HB 1359 - Green
13 HB 1566 - Richardson
14 HB 1428 - Leake
15 HB 1473, E.C. - Shear (83)
16 HB 1110 - Treadway
17 HB 1076 - Childers
18 HB 1166 - McClelland
19 HB 1420 - Sears (1)
20 HB 1305 - Gratz
21 HB 1440 - Backer
22 HB 1315 - Schwab
23 HB 918 - Hosmer
24 HB 1477 - Farnen
25 HB 1131 - Kreider
26 HB 1369 - Thomason (163)
27 HB 1431 - Shields
28 HB 1304 - Hosmer
29 HB 1533 - Ostmann
30 HB 1260 - Lumpe
31 HB 1564 - O'Toole
32 HB 1504 - Schwab
33 HB 1044 - Montgomery
34 HB 1223 - Marshall (133)
35 HB 819 - Backer
36 HB 1286 - Pryor

SENATE BILLS FOR SECOND READING

1 SB 703
2 SB 855
3 SB 888
4 SCS SB 896
5 SCS SB 916
6 SB 926
7 SB 929
8 SB 945
9 SB 970

SENATE BILLS FOR THIRD READING

SCS SB 735, HCA 1,E.C. - Liese

HCS SS SB 687, E.C. - Lumpe

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HCR 8, (3-20-96 pgs. 21 & 22) - Wooten

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 226, (3-7-96, pgs. 25 & 26) - Dougherty

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

FORTY-SIXTH DAY, Tuesday, March 26, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Write down all that you see of present happenings and things that are still to come." (Revelation 1:19)

Last evening at the Academy Awards we got our annual chance to see what we liked at the movies and to see one major reflection of our national life and the issues we deal with. The struggle for freedom among people which was represented by "Braveheart" is with us against imperialism and colonialism and enslavement and ethnic dominance; alcoholism, prostitution and other crimes were represented by "Leaving Las Vegas", "Mighty Aphrodite" and the "Usual Suspects". The film "Dead Man Walking" is helping a national soul-searching on the death penalty. "Anne Frank Remembered" helps us see horrific tragedy in a manageable look through one young girl's eyes. And if all this serious tragedy and suffering overwhelm us, a pig and two toys lighten life for us in "Babe" and the "Toy Story".

We ask today, God of creativity and imagination and challenge, for the ability to see to what extent our art does imitate life and how films can make us think about issues. We also remember our own support staff here, and we include our own families, not actors playing a part, but truly human live people writing a script of love and of concern with their lives, in the real world where the outtakes and the scenes that went badly are part of the story and cannot so easily get thrown on the cutting room floor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Inoke Rogoyawa, Stephanie Fordyce, Joshua Wakim, Anitra Lewis, Brooke Anderson, Cale Hoffman, Ananda Kincaid, Tim Krueger, Maurine Pfuhl, Daniel Pihlstrom, Adam Treece, Ryann Haeberle, Franci Culbertson, Jennifer Hyres, Blake Hicks, Daniel Olson, Elizabeth Ramey, Sera Hayes, Rayme Hooten, Joshua Speeler, Samuel Toole, Douglas Turner, Patrick Disbennett, Meghan McGrath, Michael Rathbone, Laura Murry, Mindy Sims, Sara Beth McCormick, Sarah Pore, Erin Elizabeth Gillick, Julie Lee Hurst, Tammy Erwin and Amy McLerran.

The Journal of the forty-fifth day was approved as corrected.

RESOLUTIONS

Representative Surface offered House Resolution No. 551, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boatright offered House Resolution No. 552, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lumpe offered House Resolution No. 553, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hagan-Harrell offered House Resolution No. 554, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 555, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILL

HB 1632 was read the second time.

SECOND READING OF SENATE BILLS

SB 703, SB 855, SB 888, SCS SB 896, SCS SB 916, SB 926, SB 929, SB 945, and **SB 970** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1013**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 1013, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **HCS HB 1013** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 005

Hohulin	Hosmer	Murphy	Wannenmacher	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 004

Ford	Marble	Ribaudo	Thompson 37	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

SCS SB 735, with House Committee Amendment No. 1, relating to fire district elections, was taken up by Representative Liese.

Representative Liese offered **HS SCS SB 735**.

Representative Reynolds offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 735, Page 2, Section 72.418, Subsection 2, Line 21, by inserting after the word "directors" the following:

"**; provided that, such resident is subject to taxation pursuant to this section**"

Representative Reynolds moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 006

Auer	Clayton	Franklin	Green	O'Neill

Reynolds

NOES: 147

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Klumb	Koller	Lograsso	Marble
Ribaudo	Vogel	Ward		

VACANCY: 002

Representative Foley offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for Senate Committee Substitute for Senate Bill No. 735, Page 15, Section B, Line 3 by inserting at the end of said section the following.

"The sections of Chapter 72 relating to the Fire Protection Districts shall not sunset in the year 2002."

On motion of Representative Foley, House Amendment No. 2 was adopted.

Representative Kreider offered House Amendment No. 3.

Representative Witt raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Liese **HS SCS SB 735, as amended,** was adopted.

On motion of Representative Liese, **HS SCS SB 735, as amended,** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bennett 15	Crump 152	Ford	Gratz	Hickey
Klumb	Marble	Ribaudo	Tate	
Thompson 37	Ward			

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hoppe	Hosmer	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 003

Hendrickson	Hohulin	Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 013

Bonner	Crump 152	Ford	Hickey	Jacob
Klumb	Marble	McLuckie	Ribaudo	Robirds
Tate	Thompson 37	Ward		

VACANCY: 002

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HCS SS SB 687, relating to special school district, was taken up by Representative Lumpe.

Representative Green offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 687, Page 2, Section 162.856, Lines 16-19 by striking all of said lines; and

Further amend said substitute, Page 4, Section 162.859, Lines 1-4, by striking all of said lines; and

Further amend said substitute, Page 6, Section 162.867, Line 10, by striking "**1998**" and inserting in lieu thereof "**1996**"; and

Further amend said substitute, Page 6, Section 162.867, Line 11, by striking "**1999**" and inserting in lieu thereof "**1997**"; and

Further amend said substitute, Page 6, Section 162.867, Line 12, by striking "**2000**" and inserting in lieu thereof "**1998**"; and

Further amend said substitute, Page 6, Section 162.867, Line 17, by striking said line and inserting in lieu thereof:

"**2. Members shall serve terms beginning on May first**".

HCS SS SB 687, with House Amendment No. 1, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Allan Ewigman, Toni Wrenn, Gretchen Niemeier, Scott Roth, Caitlin Roth, Jordan Roth, Paul Roth, T.J. Pryce and Kate Lewis.

RESOLUTIONS

Representative Oetting offered House Resolution No. 556, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 557.

Representative Brown offered House Resolution No. 558, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Morgan, et al, offered House Resolution No. 559, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution Nos. 560 through 562, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shelton (57) offered House Resolution No. 563, which was referred to the Committee on Miscellaneous Bills and Resolutions.

THIRD READING OF SENATE BILL

HCS SS SB 687, **with House Amendment No. 1, pending,** relating to special school district, was again taken up by Representative Lumpe.

On motion of Representative Green, House Amendment No. 1 was adopted by the following vote:

AYES: 082

Auer	Backer	Barry	Bennett 15	Bonner
Boucher	Canuteson	Carter	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Dougherty	Edwards-Pavia	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Froelker	Garnett	Goward
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Keeven	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Liese	Luetkenhaus	Marshall 26	May 108	Mays 50
McLuckie	Montgomery	Murphy	Murray 69	Naeger
O'Connor	O'Neill	O'Toole	Overschmidt	Pauley
Prost	Reynolds	Rizzo	Scheve	Schilling
Sears 1	Sheldon 104	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Wiggins	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 073

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bland	Boatright	Bray	Broach	Brown
Burton	Champion	Childers	Chrismer	Cierpiot
Days	Donovan	Elliott	Enz	Evans
Farmer	Foster	Gaskill	Gibbons	Graham

Hall	Hand	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Kelley 47	Legan	Levin	Linton	Lograsso
Long	Loudon	Lumpe	Marble	Marshall 133
McBride	McClelland	Mitchell	Morgan	Murray 135
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Secrest	Shear 83	Shelton 57	Shields
Sombart	Steen	Summers	Surface	Wannenmacher
Whiteside	Wieland	Williams 121		

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42	Ford	Ribaudo	Scott	Vogel

Ward

VACANCY: 002

Representative Hagan-Harrell offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Smith assumed the Chair.

On motion of Representative Lumpe, **HCS SS SB 687, as amended,** was adopted.

The Speaker resumed the Chair.

On motion of Representative Lumpe, **HCS SS SB 687, as amended,** was read the third time and passed by the following vote:

AYES: 142

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Shelton 57	Shields
Skaggs	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 008

Auer	Foley	Hohulin	O'Connor	O'Neill
O'Toole	Ridgeway	Sheldon 104		

PRESENT: 000

ABSENT WITH LEAVE: 011

Canuteson	Daniel 42	Daniels 41	Elliott	Ford
Hickey	Ribaudo	Scott	Smith	Thompson 37

Ward

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 116

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Carter	Champion	Childers	Cierpiot
Cooper	Copeland	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Griesheimer	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kissell
Klumb	Koller	Lakin	Legan	Levin
Linton	Lograsso	Long	Loudon	Lumpe
Marble	Marshall 133	Mays 50	McBride	McClelland
Mitchell	Montgomery	Morgan	Murray 135	Nordwald
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Rizzo
Ross	Sallee	Scheve	Schilling	Secrest
Shear 83	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Summers	Surface
Tate	Thomason 163	Thompson 37	Troupe	Vogel
Wannenmacher	Whiteside	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 039

Auer	Chrismer	Clayton	Crum 112	Edwards-Pavia
Foley	Foster	Green	Gross	Hendrickson
Hickey	Hohulin	Hoppe	Keeven	Kelly 27
Kreider	Leake	Liese	Luetkenhaus	Marshall 26
May 108	McLuckie	Murphy	Murray 69	Naeger
O'Connor	O'Neill	O'Toole	Ridgeway	Robirds
Schwab	Sears 1	Sheldon 104	Stoll	Treadway
Van Zandt	Wieland	Wiggins	Witt	

PRESENT: 000

ABSENT WITH LEAVE: 006

Canuteson	Daniel 42	Ford	Ribaudo	Scott

Ward

VACANCY: 002

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1172, relating to sales and use tax, was taken up by Representative Jacob.

HCS HB 1172 was placed on the Informal Calendar.

HB 1243, with House Committee Amendment No. 1, House Substitute and House Amendment No. 1, pending, relating to outdoor advertising, was again taken up by Representative Farmer.

House Amendment No. 1 was withdrawn.

Representative Backer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1243, Page 8, Section 226.540, Line 17 of such page, by inserting after the word "**village**" the following: "**that has planning and zoning authority**".

On motion of Representative Backer, House Amendment No. 1 was adopted.

Representative Marshall (26) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1243, Page 5, Section 226.540, after the last line by adding the following:

Section A. Section 226.550, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 226.550, to read as follows:

226.550. 1. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527 shall be erected or maintained on or after August 28, 1992, without a one-time permanent permit issued by the state highways and transportation commission. Application for permits shall be made to the state highways and transportation commission on forms furnished by the commission and shall be accompanied by a permit fee of twenty-eight dollars and fifty cents[,]; except **that,** tax exempt religious organizations and fraternal organizations, service organizations and veterans' organizations as defined in subdivision (8) of section 313.005 RSMo, shall be granted a permit for signs less than seventy-six square feet without payment of the fee.

2. No outdoor advertising which is regulated by subdivision (1), (3) or (4) of section 226.520 or subsection 1 of section 226.527 which was erected prior to August 28, 1992, shall be maintained without a one-time permanent permit for outdoor advertising issued by the state highways and transportation commission. If a one-time permanent permit was issued by the state highways and transportation commission after March 30, 1972, and before August 28, 1992, it is not necessary for a new permit to be issued. If a one-time permanent permit was not issued for a lawfully erected and lawfully existing sign by the state highways and transportation commission after March 30, 1972, and before August 28, 1992, a one-time permanent permit shall be issued by the commission for each sign which is lawfully in existence on the day prior to August 28, 1992, upon application and payment of a permit fee of twenty-eight dollars and fifty cents. All applications and fees due pursuant to this subsection shall be submitted before December 31, 1992.

3. For purposes of sections 226.500 to 226.600, the terminology "structure lawfully in existence" or "lawfully existing" sign or outdoor advertising shall, nevertheless, include the following signs unless the signs violate the provisions of subdivisions (3) to (7) of subsection 1 of section 226.580:

(1) All signs erected prior to January 1, 1968;

(2) All signs erected before March 30, 1972, but on or after January 1, 1968, which would otherwise be lawful but for the failure to have a permit for such signs prior to March 30, 1972, except that any sign or structure which was not in compliance with sizing, spacing, lighting, or location requirements of sections 226.500 to 226.600 as the sections appeared in the revised statutes of Missouri 1969, wheresoever located, shall not be considered a lawfully existing sign or structure;

(3) All signs erected after March 30, 1972, which are in conformity with sections 226.500 to 226.600.

4. On or after August 28, 1992, the state highways and transportation commission may, in addition to the fees authorized by subsections 1 and 2 of this section, collect a biennial inspection fee every two years after a state permit has been issued. Biennial inspection fees due after August 28, 1992, shall be twenty-eight dollars and fifty cents; except that, tax exempt religious organizations, fraternal organizations, service organizations and veterans organizations as defined in subsection (8) of section 313.005, RSMo, shall not be required to pay such a fee.

5. In order to effect collection from a sign owner of delinquent and unpaid biennial inspection fees which are payable pursuant to this section, or delinquent removal costs pursuant to section 226.580, the state highways and transportation commission may require any delinquent fees to be paid before a permit is issued to the

delinquent sign owner for any new sign.

6. Sign owners or owners of the land on which signs are located must apply to the state highways and transportation commission for biennial inspection and submit any fees as required by this section on or before December 31, 1992. For a permitted sign which does not have a permit, a permit shall be issued at the time of the next biennial inspection.

7. The state highways and transportation commission shall deposit all fees received for outdoor advertising permits and inspection fees in the state road fund, keeping a separate record of such fees, and the same may be expended by the commission in the administration of sections 226.500 to 226.600.

Amend title and enacting clause accordingly.

On motion of Representative Marshall (26), House Amendment No. 2 was adopted.

Representative Gross offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Bill No. 1243, Page 10, Section 226.585, by deleting all of said section and inserting in lieu thereof the following:

"226.585. The state highways and transportation department may cut and trim any vegetation on the highway right-of-way which interferes with the effectiveness of or obscures a lawfully erected billboard[, or the highways and transportation commission shall promulgate reasonable rules and regulations to permit the cutting and trimming of such vegetation on the highway or right-of-way by the owner of such billboard. Such rules and regulations shall be promulgated within twelve months after August 28, 1992, or the commission shall suspend the collection of the biennial inspection fees prescribed by section 226.550 until such rules are promulgated, and such rules may include authority to charge a reasonable fee for such permission.] **at the request of the owner of such billboard. The state highways and transportation department may also contract to have such vegetation cut and trimmed. The state highways and transportation department is authorized to charge a reasonable fee to the owner of such lawfully erected billboard for the removal and trimming of vegetation which obscures such bill board. No party, other than those authorized to do so by this section, may cut or trim any vegetation on the highway right-of-way to improve the visibility of a billboard.** This section shall not apply if its implementation would have the effect of making Missouri be in noncompliance with requirements of Title 23, United States Code, section 131.

On motion of Representative Gross, House Amendment No. 3 was adopted.

Representative Schilling offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Bill No. 1243, Page 9, Section 226.540, Line 8 of said page, by deleting the "**.**" after the words "**this section**" and inserting in lieu thereof the following: "**; except that, counties, cities, towns and villages may prohibit outdoor advertising that advertises gambling, tobacco products or alcoholic beverages within five hundred feet of an elementary or secondary school or church.**".

On motion of Representative Schilling, House Amendment No. 4 was adopted.

Representative Lograsso offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Bill No. 1243, Page 9, Section 226.540 (7), Line 21 by adding at the end of said line the following:

"The provisions of this subsection (7) may only be utilized by a county, city, town or village alongside state and federal roads and highways if such political subdivision has agreed to maintain such road or highway according to the standards set forth by the Missouri Department of Highways and Transportation and thereafter actually performs such maintenance."

Representative Lograsso moved that House Amendment No. 5 be adopted.

Which motion was defeated.

Representative Childers offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Bill No. 1243, Page 9, Section 226.540, Line 3 by inserting before the word "the" on said line the words "charge reasonable amounts to reflect the costs of" and further amend said page, line 8, by inserting after the word "section" on said line the words "and any constitutional restrictions regarding advertising"

On motion of Representative Childers, House Amendment No. 6 was adopted.

Representative Farmer moved that **HS HB 1243, as amended,** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Akin	Auer	Barry	Bennett 15	Bland
Bonner	Boucher	Bray	Brown	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Farmer	Fitzwater	Gibbons	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Harlan	Hendrickson
Hickey	Hoppe	Jacob	Kauffman	Keeven
Kissell	Klumb	Lakin	Levin	Linton
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McClelland	McLuckie	Morgan	Murphy	Murray 69
O'Connor	Ostmann	Pauley	Prost	Reynolds
Scheve	Schilling	Secrest	Shear 83	Shelton 57
Stokan	Stoll	Tate	Troupe	Van Zandt
Williams 121	Mr. Speaker			

NOES: 089

Alter	Backer	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Burton	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Graham
Gunn	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hohulin	Hosmer	Howerton	Kasten	Kelley 47
Kelly 27	Koller	Kreider	Leake	Legan
Liese	Lograsso	Long	Loudon	Marble
Marshall 133	McBride	Mitchell	Montgomery	Murray 135
Naeger	Nordwald	Oetting	Overschmidt	Pouche
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Schwab	Scott	Sears 1
Sheldon 104	Shields	Smith	Sombart	Steen
Summers	Surface	Thomason 163	Thompson 37	Treadway
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 159	Witt	Wooten	

PRESENT: 001

Goward

ABSENT WITH LEAVE: 009

Canuteson	Carter	Ford	Gratz	Green
O'Neill	O'Toole	Ribaudo	Skaggs	

VACANCY: 002

HB 1243, with House Committee Amendment No. 1, was placed on the Informal Calendar.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 20**.

SENATE CONCURRENT RESOLUTION NO. 20

BE IT RESOLVED by the Senate of the Eighty-eighth General Assembly, the House of Representatives concurring therein, that the Secretary of State of Missouri shall prepare and cause to be collated, indexed, printed and bound, all acts and resolutions of the Eighty- eighth General Assembly, First and Second Regular Sessions and extra sessions, if any, and shall examine the printed copies and compare them with and correct the same by the original rolls and note all errors, if any, which have been committed and cause errata thereof to be annexed, together with an attestation under the hand of the Secretary of State that she has compared the same and the original rolls in her office and has corrected the same thereby; and

BE IT FURTHER RESOLVED that the size and quality of the paper and binding shall be substantially the same as used in prior session laws and the size and style of type shall be determined by the Secretary of State; and

BE IT FURTHER RESOLVED that the Secretary of State is authorized to print and bind up to two thousand five hundred (2,500) copies of the acts and resolutions of the Eighty-eighth General Assembly with appropriate indexing.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 735 as amended** , and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

MOTION

Representative Liese moved that the House refuse to recede from its position on **HS SB 735, as amended,** and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS SB 735: Representatives Liese, Foley, Murray (69), Keeven and Levin.

PERFECTION OF HOUSE BILL

HCS HBs 1207, 1288, 1408 and 1409, relating to concentrated animal feeding operations, was taken up by Representative Tate.

Representative Tate offered **HS HCS HBs 1207, 1288, 1408 and 1409**.

Representative Tate offered House Amendment No. 1.

House Amendment No.1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 2, Section 640.710, Line 18 from the top of said page, by deleting the words "**such wells**" and inserting in lieu thereof the following: "**class IA concentrated animal feeding operation lagoons**".

On motion of Representative Tate, House Amendment No. 1 was adopted.

Representative Tate offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 & 1409, Page 1, In The Title, Lines 1 to 3 of said title, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 261.105, RSMo Supp. 1995, relating to agriculture, and to enact in lieu thereof fifteen new sections relating"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2 of said page, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Section 261.105, RSMo Supp. 1995, is repealed and fifteen new sections enacted in lieu thereof, to be known as sections 261.105, 640.700, 640.705,"; and

Further amend said bill, Page 1, Section A, Line 5 of said page, by inserting after all of said line the following:

"261.105. 1. The department of agriculture shall make demonstration awards, out of appropriations made for that purpose, to the center for sustainable agricultural systems of the University of Missouri college of agriculture for the development and coordination of demonstration projects on the lands of individual farmers in this state which identify, develop and demonstrate agricultural technologies and farm management strategies in food and fiber production carried out under actual farming conditions that will reduce the dependency of food and fiber production on nonrenewable inputs. In any one fiscal year, no more than twenty-three such demonstration project awards shall be made and no award shall exceed three thousand dollars for any one demonstration project. The department of agriculture, in cooperation with the University of Missouri college of agriculture and the University of Missouri extension service, shall promulgate rules and regulations necessary to carry out the provisions of this section and for the identification of demonstration projects and award areas. The demonstration projects shall be selected on a broad geographical basis so that each agricultural area of the state is represented as nearly as practicable. The twenty-three projects shall be selected on the basis of innovative practices based on competitive applications received. Each demonstration project shall be monitored by the University of Missouri extension service and a report of the project shall be made to the department of agriculture. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

2. This section shall expire December 31, [1996] **2001**.".

On motion of Representative Tate, House Amendment No. 2 was adopted.

Representative Fitzwater offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 1, In The Title, Line 4 of said title, by deleting the word "fourteen" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 1, Section A, Line 4 of said page by deleting the number "640.747,"; and

Further amend said bill, Page 9, Section 640.747, Lines 13 to 18 of said page by deleting all of said lines.

Representative Fitzwater moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Representative Marshall (26) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1207, 1288, 1408 and 1409, Page 10, Following Section A, Line 2 by adding the following:

"Notwithstanding any provision of law to the contrary, all confined animal feeding operations as defined by the department of natural resources rules shall be subject to the provisions of the Missouri air conservation law."

Amend title and enacting clause accordingly.

Representative Marshall (26) moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 008

Boucher	Hosmer	Marshall 26	McLuckie	Murphy
Prost	Rizzo	Schilling		

NOES: 137

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Bray	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	
Hendrickson				
Hickey	Hohulin	Hoppe	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelly 27	Kissell
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Long	Loudon	
Luetkenhaus				
Lumpe	Marble	Marshall 133	May 108	Mays 50
McBride	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Pryor	Reynolds	Richardson	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

PRESENT: 001

Goward

ABSENT WITH LEAVE: 015

Akin	Canuteson	Carter	Ford	Kelley 47
Klumb	Koller	Lograsso	McClelland	O'Neill
Ribaudo	Ridgeway	Secrest	Thompson 37	Ward

VACANCY: 002

Representative Dougherty offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 & 1409, Page 1, In the Title, Line 4 of said title, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, In the Title, Line 6 of said title, by inserting immediately after the word "clause" the following: "and an expiration date for certain sections"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by inserting immediately after the number "640.700," the number "640.703,"; and

Further amend said bill, Page 1, Section 640.700, Line 8 of said page, by inserting after all of said line, the following:

"**640.703. 1. There is hereby created a seven member interim committee of house members. The speaker of the house of representatives shall appoint the members of the committee. The committee shall conduct a comprehensive study of concentrated animal feeding operations and shall make a report of the committee's findings to the speaker of the house of representatives on or before January 1, 1997. This section shall expire upon the submission of the report.**".

Representative Garnett offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1207, 1288, 1408 and 1409, Page 1, In the Title, Line 4 of said title, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, In the Title, Line 6 of said title, by inserting immediately after the word "clause" the following: "and an expiration date for certain sections"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by inserting immediately after the number "640.700," the number "640.703,"; and

Further amend said bill, Page 1, Section 640.700, Line 8 of said page, by inserting after all of said line, the following:

There is hereby created an eight-member joint interim committee composed of four members of the House of Representatives and four members of the Senate. The Speaker of the House of Representatives shall appoint the four House members and the Senate President Pro Tem shall appoint the four members of the Senate. The joint committee shall conduct a comprehensive study of concentrated animal feeding operations in Missouri and shall make a report of the committee's findings and recommendations the Speaker of the House of Representatives and the Senate President Pro Tem on or before January 1, 1997. No agency of state government shall propose or promulgate any rule or regulation concerning concentrated animal feeding operations between May 15, 1996, and the date the joint committee's report has been filed.

Representative Dougherty requested a division of the question.

House Substitute Amendment No. 1
for
House Amendment No. 5

Part I

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1207, 1288, 1408 and 1409, Page 1, In the Title, Line 4 of said title, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, In the Title, Line 6 of said title, by inserting immediately after the word "clause" the following: "and an expiration date for certain sections"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by inserting immediately after the number "640.700," the number "640.703,"; and

Further amend said bill, Page 1, Section 640.700, Line 8 of said page, by inserting after all of said line, the following:

There is hereby created an eight-member joint interim committee composed of four members of the House of Representatives and four members of the Senate. The Speaker of the House of Representatives shall appoint the four House members and the Senate President Pro Tem shall appoint the four members of the Senate. The joint committee shall conduct a comprehensive study of concentrated animal feeding operations in Missouri and shall make a report of the committee's findings and recommendations the Speaker of the House of Representatives and the Senate President Pro Tem on or before January 1, 1997.

Part II

No agency of state government shall propose or promulgate any rule or regulation concerning concentrated animal feeding operations between May 15, 1996, and the date the joint committee's report has been filed.

On motion of Representative Garnett, Part I of House Substitute Amendment No. 1 for House Amendment No. 5 was adopted.

Representative Garnett moved that Part II of House Substitute Amendment No. 1 for House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 075

Alter	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Broach	Burton	Champion	Childers
Cierpiot	Cooper	Copeland	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Fiebelman	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gross	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Koller	Kreider	Legan	Levin	Linton
Lograsso	Long	Loudon	Marble	Marshall 133
McBride	McClelland	Montgomery	Murphy	Naeger
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Robirds	Ross	Sallee	Schwab
Scott	Sheldon 104	Shields	Sombart	Steen
Surface	Vogel	Wannenmacher	Wieland	Wooten

NOES: 079

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Brown	Carter	Chrismer
Clayton	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fitzwater	Foley	Franklin	Goward	Green
Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hickey
Hoppe	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Lakin	Leake	Liese	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McLuckie
Mitchell	Morgan	Murray 69	Murray 135	O'Connor
O'Toole	Overschmidt	Pauley	Prost	Reynolds
Ridgeway	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Shelton 57	Skaggs	Smith	Stokan
Stoll	Summers	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Whiteside	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 007

Akin	Canuteson	Ford	O'Neill	Ribaudo
Secrest	Ward			

VACANCY: 002

Representative Pryor offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 & 1409, Page 3, Section 640.715, Line 3 of said page, by inserting after the word "**facilities**" the following: "**or any class IB concentrated animal feeding operation as defined in the department's rules**".

On motion of Representative Pryor, House Amendment No. 6 was adopted.

HCS HBs 1207, 1288, 1408 and 1409, with HS, as amended, pending, was laid over.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 58**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1020**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1206 and HB 1484**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SB 687 as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SCS SB 735 as amended**: Senators Flotron, Mueller, Schneider, Quick and Maxwell.

On motion of Representative Backer, the House recessed until 8:15 p.m.

EVENING JOURNAL

The hour of recess having expired, the House was called to order by the Speaker.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1295, relating to military search, was taken up by Representative Gunn.

On motion of Representative Gunn, **HB 1295** was read the third time and passed by the following vote:

AYES: 142

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	

Luetkenhaus				
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	Mitchell	Montgomery
Morgan	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 005

Bray	Brown	McLuckie	Murphy	Schilling

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer	Bland	Crump 152	Daniel 42	Ford
Froelker	Goward	Harlan	Kelly 27	Pauley
Ribaudo	Van Zandt	Ward	Witt	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Davis moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

HB 1101, relating to boating, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 1101** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Heckemeyer
Hegeman	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway

Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Mr. Speaker

NOES: 007

Cierpiot	Gross	Hall	Hartzler 124	Ridgeway
Secrest	Wooten			

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 008

Auer	Daniel 42	Ford	Froelker	Goward
Ribaudo	Ward	Witt		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Morgan moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HB 1171, relating to Missouri rural economic development counties, was taken up by Representative Tate.

On motion of Representative Tate, **HB 1171** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Daniel 42	Ford	Froelker	Goward
Ribaudo	Secrest	Thompson 37	Ward	Witt

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

HB 1524, relating to special road and bridge fund, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1524** was read the third time and passed by the following vote:

AYES: 083

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Brown	Canuteson	Carter
Clayton	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fitzwater	Foley	Franklin	Gratz	Green
Gunn	Hagan-Harrell	Harlan	Hartzler 123	Hendrickson
Hickey	Hoppe	Hosmer	Jacob	Kelly 27
Kissell	Klumb	Kreider	Lakin	Legan
Liese	Long	Loudon	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Mitchell	Morgan	Murphy	Murray 69	Murray 135
O'Connor	O'Neill	O'Toole	Overschmidt	Prost
Reynolds	Rizzo	Scheve	Schilling	Schwab
Sears 1	Shear 83	Shelton 57	Skaggs	Smith
Sombart	Stoken	Stoll	Summers	Tate
Thompson 37	Troupe	Van Zandt	Wannenmacher	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 072

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Foster	Garnett	Gaskill	Gibbons
Graham	Griesheimer	Gross	Hall	Hand
Hartzler 124	Heckemeyer	Hegeman	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Koller
Leake	Levin	Linton	Lograsso	Marble
Marshall 133	McClelland	Montgomery	Naeger	Nordwald
Oetting	Ostmann	Pauley	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Scott	Secrest	Sheldon 104	Shields	Steen
Surface	Thomason 163	Treadway	Vogel	Whiteside
Wieland	Wiggins			

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford	Froelker	Goward	Ribaudo	Ward

Witt

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Stoll, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 1362, relating to health care and nursing facilities, was taken up by Representative Evans.

On motion of Representative Evans, **HB 1362** was read the third time and passed by the following vote:

AYES: 110

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Boucher	Broach	Brown
Burton	Canuteson	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Daniel 42	Daniels 41
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Foley	Foster
Garnett	Gaskill	Gibbons	Graham	Griesheimer
Gross	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Koller	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 133	May 108
McBride	McClelland	Mitchell	Montgomery	Morgan
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Sears 1	Secrest
Shear 83	Shelton 57	Shields	Sombart	Steen
Stokan	Stoll	Summers	Surface	Vogel
Wannenmacher	Whiteside	Wieland	Wooten	Mr. Speaker

NOES: 041

Backer	Barry	Bland	Bonner	Bray
Carter	Clayton	Crump 152	Davis	Days
Farmer	Fitzwater	Franklin	Gratz	Green
Gunn	Hagan-Harrell	Heckemeyer	Jacob	Kelly 27
Kreider	Lakin	Leake	Legan	Marshall 26
Mays 50	McLuckie	Murphy	Murray 69	Schilling
Sheldon 104	Skaggs	Smith	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Wiggins	Williams 121

Williams 159

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Copeland	Ford	Froelker	Goward
Hohulin	Ribaudo	Thompson 37	Ward	Witt

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Garnett moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

HB 1168, relating to peace officers memorial day, was taken up by Representative Crum (112).

On motion of Representative Crum (112), **HB 1168** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Garnett	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 001

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 010

Ford	Froelker	Gaskill	Goward	Prost
Ribaudo	Stokan	Thompson 37	Ward	Witt

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Sears (1) moved that the vote by which the bill passed be reconsidered.

Representative Tate moved that motion lay on the table.

The latter motion prevailed.

HB 956, relating to Kansas City Board of Adjustment, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **HB 956** was read the third time and passed by the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett

Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Leake	Legan	Levin	Liese
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 005

Hohulin	Lograsso	Loudon	Reynolds	Surface

PRESENT: 001

Lakin

ABSENT WITH LEAVE: 012

Champion	Ford	Froelker	Goward	Linton
Naeger	Pauley	Prost	Ribaudo	Thompson 37
Ward	Witt			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Daniels assumed the Chair.

HB 1117, relating to Division of Youth Services property, was taken up by Representative Green.

On motion of Representative Green, **HB 1117** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long

Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 159	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Ford	Froelker	Goward	Prost
Ribaudo	Thompson 37	Troupe	Ward	Williams 121

Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

HB 1523, relating to student records, was taken up by Representative Linton.

On motion of Representative Linton, **HB 1523** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1

Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Ford	Froelker	Goward	Murray 135
Ribaudo	Thompson 37	Ward	Witt	

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Koller moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

HB 1055, relating to public assistance assets, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HB 1055** was read the third time and passed by the following vote:

AYES: 147

Alter	Backer	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 135	Naeger
Nordwald	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Steen
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Akin	Auer	Ford	Franklin	Froelker
Goward	Murray 69	O'Connor	Ribaudo	Sombart
Stokan	Thompson 37	Ward	Witt	

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Troupe, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

HB 1537, relating to professional counselors, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 1537** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 003

Hall	Hohulin	Murphy

PRESENT: 001

Bland

ABSENT WITH LEAVE: 012

Auer	Ford	Froelker	Goward	Kasten
Murray 69	Pauley	Ribaudo	Thompson 37	Troupe
Ward	Witt			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Skaggs, title to the bill was agreed to.

Representative Shear (83) moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

HB 1359, relating to leasing of state property, was taken up by Representative Green.

On motion of Representative Green, **HB 1359** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer	Ford	Froelker	Goward	Ribaudo
Thompson 37	Ward	Witt		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Garnett, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

HB 1566, relating to dental hygiene practice, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 1566** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown

Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Ford	Froelker	Goward	Levin
Nordwald	Ribaudo	Thompson 37	Ward	Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HB 1428, relating to county coroners, was taken up by Representative Leake.

On motion of Representative Leake, **HB 1428** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Fiebelman	Fitzwater	Foley
Foster	Franklin	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108

Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery 135	Morgan	Murphy	Murray 69	Murray
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 000

PRESENT: 001

Farnen

ABSENT WITH LEAVE: 009

Auer	Bonner	Ford	Froelker	Goward
Ribaudo	Thompson 37	Ward	Witt	

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

HB 1473, relating to temporary medical licenses, was taken up by Representative Shear (83).

On motion of Representative Shear (83), **HB 1473** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel

Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer	Ford	Froelker	Goward	Ribaudo
Thompson 37	Ward	Witt		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 118

Backer	Ballard	Barnett 4	Barry	Bennett 15
Bland	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Cooper	Copeland	Crum 112	Daniels 41
Davis	Days	Donovan	Dougherty	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Garnett	Gibbons
Graham	Gratz	Griesheimer	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
O'Connor	O'Neill	O'Toole	Ostmann	Overschmidt
Pauley	Pouche	Prost	Reynolds	Rizzo
Sallee	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 029

Akin	Alter	Bartelsmeyer	Boatright	Chrismer
Cierpiot	Crump 152	Edwards-Pavia	Foster	Gaskill
Gross	Hall	Hartzler 124	Hendrickson	Hohulin
Howerton	Kelley 47	Lograsso	Long	Nordwald
Pryor	Richardson	Ridgeway	Robirds	Ross
Scott	Sheldon 104	Steen	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer	Clayton	Daniel 42	Ford	Froelker
Goward	Green	Linton	Oetting	Ribaudo
Shelton 57	Thompson 37	Ward	Witt	

VACANCY: 002

On motion of Representative Crum (112), title to the bill was agreed to.

Representative Davis moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HB 1110, relating to accountants, was taken up by Representative Treadway.

On motion of Representative Treadway, **HB 1110** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 159	Wooten	Mr. Speaker		

NOES: 001

Bland

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Ford	Froelker	Garnett	Goward
Linton	McClelland	Ribaudo	Thompson 37	Ward
Williams 121	Witt			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

HB 1076, relating to Pearl Harbor Day, was taken up by Representative Childers.

On motion of Representative Childers, **HB 1076** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Gibbons	Graham	Gratz

Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Bland	Cierpiot	Ford	Froelker
Garnett	Gaskill	Goward	Ribaudo	Thompson 37
Ward	Witt			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative O'Neill moved that the vote by which the bill passed be reconsidered.

Representative Canuteson moved that motion lay on the table.

The latter motion prevailed.

HB 1166, relating to minority teaching scholarships, was taken up by Representative McClelland.

On motion of Representative McClelland, **HB 1166** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	

Richardson				
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 002

Hohulin	Steen

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Bland	Champion	Ford	Froelker
Garnett	Goward	Hartzler 123	Nordwald	Ribaudo
Thompson 37	Ward	Witt		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

HB 1420, relating to Tax Commission Notification, was taken up by Representative Sears (1).

On motion of Representative Sears (1), **HB 1420** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Ford	Froelker	Garnett	Goward
Hartzler 123	Levin	Ostmann	Ribaudo	Sallee
Thompson 37	Ward	Witt		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Montgomery moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HB 1305, relating to noxious weeds, was taken up by Representative Gratz.

On motion of Representative Gratz, **HB 1305** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 001

Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Ford	Froelker	Garnett	Goward
Pauley	Ribaudo	Thompson 37	Ward	Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

HB 1440, relating to telephone companies, was taken up by Representative Backer.

On motion of Representative Backer, **HB 1440** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Reynolds	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Ford	Froelker	Garnett	Goward
Pauley	Ribaudo	Richardson	Sallee	Thompson 37
Ward	Witt			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Tate moved that motion lay on the table.

The latter motion prevailed.

HB 1315, relating to license plates, was taken up by Representative Schwab.

On motion of Representative Schwab, **HB 1315** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton

Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Reynolds
Richardson	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 004

Cierpiot	Jacob	Ridgeway	Schilling	

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Bland	Ford	Froelker	Garnett
Goward	Pauley	Ribaudo	Thompson 37	Van Zandt
Ward	Witt			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Copeland moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

HB 918, relating to governing bodies, was taken up by Representative Hosmer.

Representative Hosmer moved that **HB 918** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 052

Backer	Barnett 4	Barry	Bennett 15	Bland
Boucher	Bray	Canuteson	Champion	Crum 112
Crump 152	Daniel 42	Dougherty	Farmer	Farnen
Foley	Gunn	Hagan-Harrell	Harlan	Hoppe
Hosmer	Jacob	Klumb	Kreider	Liese
Loudon	Luetkenhaus	Marshall 26	May 108	Mays 50
McBride	McLuckie	Morgan	Murray 135	O'Toole
Pauley	Reynolds	Rizzo	Schilling	Sears 1
Shear 83	Sheldon 104	Skaggs	Smith	Stokan
Stoll	Summers	Tate	Van Zandt	Wannenmacher
Williams 121	Mr. Speaker			

NOES: 098

Akin	Alter	Ballard	Bartelsmeyer	Boatright
Bonner	Broach	Brown	Burton	Childers

Chrismer	Cierpiot	Clayton	Cooper	Copeland
Daniels 41	Davis	Days	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Fiebelman	Fitzwater
Foster	Franklin	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Koller	Lakin	Leake	Legan	Levin
Linton	Lograsso	Long	Lumpe	Marble
Marshall 133	McClelland	Mitchell	Montgomery	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Neill
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shelton 57
Shields	Sombart	Steen	Surface	Thomason 163
Treadway	Troupe	Vogel	Whiteside	Wieland
Wiggins	Williams 159	Wooten		

PRESENT: 001

Carter

ABSENT WITH LEAVE: 010

Auer	Ford	Froelker	Garnett	Goward
Ribaudo	Scheve	Thompson 37	Ward	Witt

VACANCY: 002

HB 1477, relating to members of county committees, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 1477** was read the third time and passed by the following vote:

AYES: 143

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 009

Bennett 15	Cierpiot	Hall	Hohulin	Pryor
Reynolds	Schwab	Whiteside	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Ford	Froelker	Garnett	Goward
Linton	Ribaudo	Ward	Witt	

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Lumpe, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

HB 1131, relating to civil air patrol, was taken up by Representative Kreider.

On motion of Representative Kreider, **HB 1131** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Boatright	Bonner	Boucher	Bray
Broach	Brown	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 003

Bartelsmeyer	Bennett 15	Burton

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Bland	Ford	Froelker	Garnett
Goward	Linton	Ribaudo	Sallee	Ward

Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Kreider moved that motion lay on the table.

The latter motion prevailed.

HB 1369, relating to emergency vehicles, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HB 1369** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Gibbons	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Overschmidt	Pauley	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Ford	Froelker	Garnett	Goward
Graham	Linton	Ostmann	Pouche	Ribaudo
Thompson 37	Ward	Witt		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Sheldon (104) moved that motion lay on the table.

The latter motion prevailed.

HB 1431, relating to conveyance of property, was taken up by Representative Shields.

On motion of Representative Shields, **HB 1431** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Ford	Froelker	Garnett	Goward
Linton	Ribaudo	Thompson 37	Ward	Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

HB 1304, relating to emergency telephone numbers, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1304** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Gibbons	Graham	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake

Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 002

Gratz	Hegeman

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Ford	Froelker	Garnett	Goward
Kasten	Linton	Ribaudo	Thompson 37	Ward
Witt				

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 1260, relating to drinking water fees, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **HB 1260** was read the third time and passed by the following vote:

AYES: 133

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Bray	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Gaskill	Gibbons	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Heckemeyer
Hegeman	Hickey	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Rizzo	Robirds
Sallee	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Shelton 57	Shields	Skaggs

Smith	Sombart	Stokan	Stoll	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 017

Boatright	Broach	Graham	Hartzler 124	Hendrickson
Howerton	Lograsso	Loudon	Murphy	Richardson
Ridgeway	Ross	Scott	Sheldon 104	Steen
Summers	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Ford	Froelker	Garnett	Goward
Hohulin	Linton	Ribaudo	Thompson 37	Ward

Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 1564, relating to endowed care cemeteries, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HB 1564** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 011

Auer	Ford	Froelker	Garnett	Goward
Linton	McLuckie	Ribaudo	Thompson 37	Ward

Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HB 1533, relating to background checks, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **HB 1533** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 003

Lakin	Steen	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 013

Auer	Crump 152	Evans	Ford	Froelker
Garnett	Gaskill	Goward	Pryor	Ribaudo
Thompson 37	Ward	Witt		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1504, relating to county medical examiners, was taken up by Representative Schwab.

On motion of Representative Schwab, **HB 1504** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 001

Liese

ABSENT WITH LEAVE: 008

Ford	Froelker	Garnett	Goward	Ribaudo
Thompson 37	Ward	Witt		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Farmer, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

HB 1044, relating to adoption records, was taken up by Representative Montgomery.

Representative Montgomery moved that **HB 1044** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 055

Akin	Auer	Barry	Bland	Boucher
Canuteson	Champion	Childers	Crum 112	Crump 152
Donovan	Farnen	Fiebelman	Fitzwater	Franklin
Hagan-Harrell	Harlan	Hickey	Hoppe	Hosmer
Jacob	Kelly 27	Kissell	Klumb	Koller
Kreider	Leake	Liese	Loudon	Luetkenhaus
Marshall 26	May 108	McBride	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	Ostmann
Overschmidt	Pouche	Prost	Rizzo	Robirds
Scheve	Schilling	Sears 1	Smith	Sombart
Stokan	Stoll	Tate	Wiggins	Mr. Speaker

NOES: 095

Alter	Backer	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Bray	Broach
Brown	Burton	Carter	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Daniels 41	Davis
Days	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Foley	Foster	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Lakin	Legan	Levin	Lograsso	Long
Lumpe	Marble	Marshall 133	Mays 50	McClelland
McLuckie	Mitchell	Murphy	Murray 135	Naeger
Nordwald	Oetting	Pryor	Reynolds	Richardson
Ridgeway	Ross	Sallee	Schwab	Scott
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Steen	Summers	Surface	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Williams 121	Williams 159	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 011

Daniel 42	Ford	Froelker	Garnett	Goward
Linton	Pauley	Ribaudo	Thompson 37	Ward

Witt

VACANCY: 002

HB 1223, relating to sales and use tax, was taken up by Representative Marshall (133).

On motion of Representative Marshall (133), **HB 1223** was read the third time and passed by the following vote:

AYES: 144

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster

Franklin	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Surface	Tate	Thomason 163	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 003

Evans	Loudon	Treadway

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer	Canuteson	Daniel 42	Ford	Froelker
Garnett	Goward	Ribaudo	Scheve	Shear 83
Stokan	Thompson 37	Ward	Witt	

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Morgan, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HB 819, relating to emergency management compact, was taken up by Representative Backer.

On motion of Representative Backer, **HB 819** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann

Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Canuteson	Daniel 42	Ford	Froelker
Garnett	Goward	McClelland	Ribaudo	Thompson 37
Ward	Witt			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

HB 1286, relating to public administrator's salary, was taken up by Representative Pryor.

On motion of Representative Pryor, **HB 1286** was read the third time and passed by the following vote:

AYES: 117

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Foster	Franklin	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	McBride	McClelland
Mitchell	Montgomery	Morgan	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Richardson
Ridgeway	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Sheldon 104	Shields	Sombart	Steen	Stokan
Stoll	Summers	Surface	Thomason 163	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Williams 159
Wooten	Mr. Speaker			

NOES: 029

Bland	Bray	Carter	Champion	Clayton
Days	Farmer	Fitzwater	Foley	Gunn
Hagan-Harrell	Harlan	Hickey	Lumpe	Mays 50
McLuckie	Murphy	Murray 69	O'Neill	Reynolds
Rizzo	Shear 83	Shelton 57	Skaggs	Smith
Tate	Wannenmacher	Wiggins	Williams 121	

PRESENT: 000

ABSENT WITH LEAVE: 015

Auer	Canuteson	Daniel 42	Dougherty	Ford
Froelker	Garnett	Goward	Lakin	Murray
135				
Ribaudo	Thompson 37	Treadway	Ward	Witt

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Koller, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 9 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILL

The following House Bills were referred to the Committee indicated:

HS HB 832 - Budget (Fiscal Note)

HB 815 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

SCS SJR 31 - Workers Compensation and Employment Security

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 501 - Judiciary and Ethics

SB 527 - Civil and Criminal Law

SB 572 - Education - Elementary and Secondary

SB 643 - Social Services, Medicaid and the Elderly

SCS SB 662 - Commerce

SB 683 - Banks and Financial Institutions

SS SB 709 - Judiciary and Ethics

SCS SB 726 - Public Health and Safety

SB 773 - Science, Technology and Critical Issues

SB 834 - State Parks, Recreation and Natural Resources

SB 837 - Miscellaneous Bills and Resolutions

SCS #2 SB 860 - Retirement

SB 883 - Insurance

SB 900 - Retirement

SB 914 - Local Government and Related Matters

SB 930 - Professional Registration and Licensing

SB 940 - Correctional and State Institutions

SB 947 - Correctional and State Institutions

INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and 1,000 copies ordered printed:

HJR 59, introduced by Representative Akin, relating to gaming activities.

HJR 60, introduced by Representative Akin, relating to gaming activities.

HJR 61, introduced by Representative Akin, relating to payment and distribution of appropriations and income to the public schools.

HJR 62, introduced by Representative Akin, relating to the powers of the legislative department.

HJR 63, introduced by Representative Crump, et al, relating to the right to bear arms.

INTRODUCTION OF HOUSE BILL - APPROPRIATION

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1019, introduced by Representative Lumpe, relating to the appropriation of money for certain capital improvement projects.

INTRODUCTION OF HOUSE BILL

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1633, introduced by Representative Akin, relating to nursing homes.

HB 1634, introduced by Representative Dougherty, relating to the state committee for social workers.

HB 1635, introduced by Representative Akin, relating to the reduction of certain property tax levies.

HB 1636, introduced by Representative Luetkenhaus, relating to the preservation of highway corridors.

CONFERENCE COMMITTEE REPORT
FOR
HOUSE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 735

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on House Substitute for Senate Committee Substitute for Senate Bill No. 735, with HA No. 2, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for Senate Committee Substitute for Senate Bill No. 735, with HA No. 2;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 735;

3. That the attached Conference Committee Substitute for House Substitute for Senate Committee Substitute for Senate Bill No. 735, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Chris Liese	/s/ Franc Flotron
/s/ Ronald P. Keeven	/s/ John Schneider
/s/ James Foley	/s/ Walt Mueller
/s/ David Levin	/s/ Ed Quick
/s/ Dana Murray	/s/ Joe Maxwell

WITHDRAWAL OF HOUSE BILL

March 26, 1996

The Honorable Steve Gaw

Speaker of the House of Representatives

Capitol Building

Room 308

Jefferson City, MO 65101

Dear Speaker:

We, the undersigned, request to withdraw **House Bill 1628**.

Respectfully submitted,

/s/ Representative Vicky Hartzler

/s/ Representative Dale Whiteside

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, March 27, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thirty-Eighth Day, Wednesday, March 6, 1996, page 44, by inserting after line 3, the following:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HJR 57**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Correct House Journal, Forty-Fifth Day, Monday, March 25, page 5, roll call, by showing Representative Oetting voting "aye" rather than "absent with leave".

Page 6, roll call, by showing Representatives McClelland and Reynolds voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representative Louden voting "present" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, March 27, 1996, 1:00 pm. Hearing Room 5. Executive session.

BUDGET

Wednesday, March 27, 1996. Hearing Room 9 upon morning adjournment.

Executive session to follow.

To be considered - HB 1624, HB 1169, HB 1301

CHILDREN, YOUTH, AND FAMILIES

Wednesday, March 27, 1996, 8:30 am. Hearing Room 5

To be considered - HB 1454, HB 1455

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, March 27, 1996, 1:00 pm. Hearing Room 1. Executive session.

To be considered - SB 547, SB 721

EDUCATION - HIGHER

Wednesday, March 27, 1996. Hearing Room 8 upon morning adjournment.

To be considered - SB 506, SB 694, SB 809

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Thursday, March 28, 1996, 9:45 am. Side gallery.

To be considered - Executive Session - HR 347, Executive Session - SB 537,

Executive Session - SCR 18, Executive Session - SCR 19, Executive Session - SCR 24

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, March 27, 1996, 8:30 am. Hearing Room 7

To be considered - HCR 11

MUNICIPAL CORPORATIONS

Wednesday, March 27, 1996. Hearing Room 7 upon morning adjournment.

Amended Notice

To be considered - SB 811, HB 1626

STATE PARKS, RECREATION AND NATURAL RESOURCES

Thursday, March 28, 1996, 9:15 am. Hearing Room 5. Executive session.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Wednesday, March 27, 1996, 8:00 pm. Hearing Room 9

To be considered - SB 715, SB 846

TRAVEL COMMITTEE

Wednesday, March 27, 1996, 12:30 pm. Hearing Room 7

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Thursday, March 28, 1996, 9:00 am. Side gallery.

To be considered - Executive Session - HB 1461, Executive Session - SB 783

HOUSE CALENDAR

FORTY-SEVENTH DAY, WEDNESDAY, MARCH 27,1996

HOUSE JOINT RESOLUTIONS FOR SECOND READING

HJR 59 through HJR 63

HOUSE BILLS FOR SECOND READING

HB 1633 through HB 1636

HOUSE BILL FOR SECOND READING - APPROPRIATIONS

HB 1019 - Lumpe

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILLS FOR PERFECTION

1 HCS HB 1207, 1288, 1408 & 1409, HS, as amended, pending - Tate
2 HB 985 - Franklin
3 HB 1368 - May (108)
4 HCS HB 1363 - Mays (50)
5 HB 1113 - Stoll
6 HB 811 - Smith
7 HB 962 - Lumpe
8 HB 1361, HCA 1, Gibbons - Treadway
9 HCS HB 1372 - Mays (50)
10 HCS HB 1174 & 1309 - May (108)
11 HCS HB 1159, 842 & 799 - Jacob
12 HB 908, HCA 1 Thomason (163) - Ross
13 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
14 HB 852, HCA 1 - Canuteson
15 HCS HB 999 - Treadway
16 HCS HB 1186 - Hoppe
17 HCS HB 1237 - Rizzo
18 HB 1241 - Witt
19 HCS HB 1185 - McClelland
20 HB 839 - Luetkenhaus
21 HB 1411 - Loudon
22 HCS HB 1149, 1150 & 1240 - Jacob
23 HCS HB 894 - Bray
24 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
25 HB 1380 - Lumpe

26 HCS HB 1557 & 1489 - Days
27 HCS HB 987, 1155, 1158 & 1219 - Jacob
28 HCS HB 1403 - Dougherty
29 HB 1247 - Shelton (57)
30 HCS HB 1588 - Overschmidt
31 HB 944, HCA 1 - Smith
32 HB 1154 - Murray (69)
33 HCS HB 1540 - Green
34 HB 993 - Williams (121)
35 HB 854 - Bland

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacobs

HB 1243, HCA 1 - Farmer

HOUSE BILLS FOR PERFECTION - CONSENT

(March 21, 1996)

1 HB 1554 - Richardson
2 HB 1466 - Rizzo

(March 25, 1996)

3 HB 1419 - Backer
4 HB 1604 - Burton
5 HB 1601 - Backer
6 HB 1610 - Farnen

(March 27, 1996)

7 HB 1050 - Witt
8 HB 1598 - Hosmer

HOUSE BILLS FOR THIRD READING

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 782, (Budget Fiscal 3-20-96) - Stokan

HS HCS HB 1169 & 1271, (Budget Fiscal 3-25-96) - Williams (121)

HS HCS HB 1301 & 1298, (Budget Fiscal 3-25-96) - McLuckie

HS HB 832, (Budget Fiscal 3-26-96) - Montgomery

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HB 976 - Thomason (163)

HCS HB 1376 & 1501 - Fitzwater

BILLS CARRYING REQUEST MESSAGES

HCS SS SB 687, as amended, E.C. (req. House recede or grant conference) - Lumpe

BILLS IN CONFERENCE

CCR HS SCS SB 735, as amended, E.C. - Liese

HOUSE CONCURRENT RESOLUTIONS

HCR 6, (2-29-96 p. 17) - Thomason (163)

HCR 4, (2-29-96 pgs. 10 &11) - Scott

HCR 8, (3-20-96 pgs. 21 & 22) - Wooten

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 226, (3-7-96, pgs. 25 & 26) - Dougherty

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House Journal

Second Regular Session, 88th General Assembly

FORTY-SEVENTH DAY, Wednesday, March 27, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Eternal Source of Peace, in a world where there is so little peace, let us pledge ourselves each day to spend the hours we've been given in making this world a better and safer place for all your people. You know our nature and you read our deepest, most secret thoughts. We can hide nothing from you. Help us use wisdom and common sense in making decisions that can be life and death matters.

In these days of election concerns and shifting priorities, we pray that you will be a presence in the lives of those seeking office that they might seek your direction in all that they do. Give us the courage to look beyond party and politics and seek good character and high values in those we place in positions of leadership.

And now, O God of all Compassion, watch over us this day; provide guidance and comfort where needed; and refresh us to continue in our chosen paths. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Michelle Brungardt, Maureen Walterbach, Beth Kunze, Steve Ketcham, Tom Race, Sean Harris, Stephanie Harris, Carl Baker, Heather Woolf, Rachael Plaggenberg, Kenneth Duren, Inoke Rogoyawa, Stephanie Fordyce, Joshua Wakim, Anitra Lewis, Danielle Bills, Tylisha Anthony, Danielle Brewer and Catherine Kopf.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present.

AYES: 004

Elliott	Franklin	Shelton 57	Vogel

NOES: 000

PRESENT: 136

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Bonner	Boucher	Bray	Broach	Brown
Burton	Carter	Childers	Chrismer	Cierpiot
Cooper 41	Copeland	Crum 112	Crump 152	Daniels
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Garnett

Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Robirds	Ross	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Sombart
Steen	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

ABSENT WITH LEAVE: 021

Boatright	Canuteson	Champion	Clayton	Daniel 42
Froelker	Hartzler 124	Hosmer	Kelley 47	Legan
Levin	Naeger	Ribaudo	Rizzo	Sallee
Scott	Stokan	Wannenmacher	Ward	Whiteside

Wieland

VACANCY: 002

The Journal of the forty-sixth day was approved as corrected.

RESOLUTION

Representative Alter, et al, offered House Resolution No. 564, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE JOINT RESOLUTIONS

HJR 59 through **HJR 63** were read the second time.

SECOND READING OF HOUSE BILL - APPROPRIATION

HB 1019 was read the second time.

SECOND READING OF HOUSE BILLS

HB 1633 through **HB 1636** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1376 & 1501, HB 976 and HS HB 832**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

HOUSE RESOLUTION

HR 226, relating to St. Louis Reinvestment Corporation, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HR 226** was adopted.

THIRD READING OF HOUSE BILLS - FEDERAL MANDATE

HB 976, relating to motor vehicle records, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HB 976** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Bland

PRESENT: 000

ABSENT WITH LEAVE: 007

Froelker	Jacob	Ribaudo	Rizzo	Thompson 37
Ward	Williams 121			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 1376 and 1501, relating to special education, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **HCS HBs 1376 and 1501** was read the third time and passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Garnett	Gaskill	Gibbons	Goward	Graham

Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Elliott	Froelker	Ribaudo	Rizzo	Smith
Thompson 37	Ward			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Stoll, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Canuteson moved that motion lay on the table.

The latter motion prevailed.

PRFECTION OF HOUSE BILL

HCS HBs 1207, 1288, 1408 and 1409, with HS, as amended, pending, relating to concentrated animal feeding operations, was again taken up by Representative Tate.

The Speaker assumed the Chair.

Representative Oetting offered House Amendment No. 7 .

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 & 1409, Page 1, In the Title, Line 4 of said title, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, In the Title, Line 6 of said title, by inserting immediately after the word "clause" the following: "and an expiration date for certain sections"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting the word "fourteen" and inserting in lieu thereof the word "fifteen"; and

Further amend said bill, Page 1, Section A, Line 3 of said page, by inserting immediately after the number "640.710," the number "640.713,"; and

Further amend said bill, Page 2, Section 640.710, Line 22 of said page, by inserting after all of said line, the following:

"**640.713. 1. The plurality owner of any class IA or class IB concentrated animal feeding operation as defined in the department's rules and limited to swine production for the purposes of this section shall reside on the same parcel of land where such operation is operating.**

2. The provisions of this section shall not apply to any permitted operation existing on the effective date of this section or expanding thereafter.

3. The provisions of this section shall expire three years after the effective date of this section.".

Representative Witt assumed the Chair.

Representative Oetting moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Gratz offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 & 1409, Page 2, Section 640.710, Line 16, by adding the following after the period,

"The general assembly hereby occupies and preempt the entire field of legislation touching in any way concentrated animal feeding operations to the complete exclusion of any order, jurisdiction ordinance or regulation by any political subdivision of this state, any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void."

Representative Wiggins offered House Substitute Amendment No. 1 for House Amendment No. 8.

House Substitute Amendment No. 1
for
House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 & 1409, Page 2, Section 640.710, Lines 13 and 14 of said page, by deleting all of said lines and inserting in lieu thereof the following: "**and management of facilities. The department shall have the authority to regulate the**".

The Speaker resumed the Chair.

Representative Gratz raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 8 is not a true substitute.

The Chair ruled the point of order not well taken.

Representative Witt resumed the Chair.

Representative Wiggins moved that House Substitute Amendment No. 1 for House Amendment No. 8 be adopted.

Which motion was defeated by the following vote:

AYES: 054

Auer	Bartelsmeyer	Bray	Brown	Champion
Clayton	Crump 152	Daniel 42	Days	Fitzwater
Foley	Ford	Franklin	Green	Hagan-Harrell
Harlan	Hickey	Hoppe	Hosmer	Jacob
Kissell	Klumb	Koller	Leake	Liese
Long	Marshall 26	May 108	Mays 50	McBride
McLuckie	Mitchell	Morgan	Murray 69	Murray 135
Nordwald	O'Connor	O'Toole	Oetting	Prost
Reynolds	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Thomason 163	Van Zandt
Wiggins	Williams 121	Williams 159	Mr. Speaker	

NOES: 097

Akin	Alter	Ballard	Barnett 4	Barry
Bennett 15	Bland	Boatright	Bonner	Boucher
Broach	Burton	Carter	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Daniels 41
Davis	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gross	Gunn	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman

Keeven	Kelley 47	Kelly 27	Kreider	Lakin
Legan	Levin	Linton	Lograsso	Loudon
Luetkenhaus	Lumpe	Marble	McClelland	Montgomery
Murphy	Naeger	O'Neill	Ostmann	Overschmidt
Pauley	Pouche	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Secrest	Shields	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Troupe	Vogel	Wannenmacher	Whiteside	Wieland
Witt	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 010

Backer	Canuteson	Donovan	Goward	Marshall 133
Ribaudo	Rizzo	Thompson 37	Treadway	Ward

VACANCY: 002

HCS HBs 1207, 1288, 1408 and 1409, with HS, as amended, and House Amendment No. 8, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Carson Jones.

RESOLUTIONS

Representative McClelland offered House Resolution No. 565, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marble offered House Resolution No. 566, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Levin and Liese offered House Resolution No. 567, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 568, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Rizzo, et al, offered House Resolution No. 569, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Morgan offered House Resolution No. 570, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution No. 571, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Champion offered House Resolution No. 572, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 573, which was referred to the Committee on Miscellaneous Bills and Resolutions.

BILL CARRYING REQUEST MESSAGE

HCS SS SB 687, as amended, relating to special school districts, was taken up by Representative Lumpe.

Representative Lumpe moved that the House refuse to recede from its position on **HCS SS SB 687, as amended**, and grant the Senate a conference.

Which motion was adopted.

HOUSE CONCURRENT RESOLUTIONS

HCR 6, relating to acts and resolutions of the General Assembly, was taken up by Representative Thomason

(163).

On motion of Representative Thomason (163), **HCR 6** was adopted.

HCR 4, relating to Missouri History Living Farm and Agriculture Learning Center, was taken up by Representative Scott.

On motion of Representative Scott, **HCR 4** was adopted.

HCR 8, relating to Springfield Missouri Locomotive Maintenance Shop, was taken up by Representative Wooten.

On motion of Representative Wooten, **HCR 8** was adopted.

PERFECTION OF HOUSE BILL

HCS HBs 1207, 1288, 1408 and 1409, with HS, as amended, and House Amendment No. 8, pending, relating to concentrated animal feeding operations, was again taken up by Representative Tate.

House Amendment No. 8 was withdrawn.

Representative Gratz offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409.

in the title, line three by removing the word "fourteen" and substituting in lieu thereof the word "fifteen";

and further amend said bill, Section A, line 4 by adding "640.760" immediately after "640.755";

and further amend said bill, p. 10, after line 2, by adding a new section to read as follows:

"640.760. The general assembly hereby occupies and preempts the entire field of legislation touching in any way concentrated animal feeding operations to the complete exclusion of any order jurisdiction ordinance or regulation by any political subdivision of this state. Any existing or future orders, ordinances or regulations in this field are hereby and shall be null and void."

Representative Gratz moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Ballard offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 4, Section 640.720, Line 16 by deleting said section.

On motion of Representative Ballard, House Amendment No. 9 was adopted.

Representative Shields offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute House Bills Nos. 1207, 1288, 1408 & 1409, Page 5, Section 640.755, Line 4, by adding after said line the following:

"All hogs produced and raised in the State of Missouri shall be subject to the IM240 Emission Test. This test shall be conducted at the State Motor Vehicle Inspection Stations in the St. Louis area. The swine emission test shall be conducted in the same manner and to the same standards as for motor vehicles as mandated by federal law.

These hogs that fail the swine emission test shall be outfitted with a carbon core swine gas emission filter to be worn on the posterior of the hog. Those hogs that fail the swine gas emissions test even after the filter has been installed, shall become sausage."

Representative Shields moved that House Amendment No. 10 be adopted.

Which motion was defeated.

Representative Tate offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 2, Section 640.710, Line 16 by adding the following after the period,

This section shall apply to all confined animal feeding operations.

On motion of Representative Tate, House Amendment No. 11 was adopted.

Representative Howerton offered House Amendment No. 12.

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House Amendment No. 12

AMEND House Substitute for House Committee Substitute for House Bill No. 1207, 1288, 1408 and 1409, Page 2, Section 640.710, Line 22 by adding the following after said line

No administrative agency of state government shall propose or promulgate any rule or regulation concerning concentrated animal feeding operations in a sensitive watershed area as defined by any state administrative agency between May 15, 1996 and the date the Joint Committee report has been filed.

On motion of Representative Howerton, House Amendment No. 12 was adopted.

Representative Jacob offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 3, Section 640.715 by adding:

(5) A notice that comments may be directed to the department.

and by adding after the word "permit" on line 19, the following:

and the department shall accept public comments for a period of 30 days after first newspaper publication as required in subsection 1 above. Such comments shall be considered by the department in the permitting process.

Representative Dougherty assumed the Chair.

Representative Jacob moved that House Amendment No. 13 be adopted.

Which motion was defeated by the following vote:

AYES: 073

Auer	Backer	Bartelsmeyer	Boucher	Brown
Canuteson	Carter	Champion	Childers	Clayton
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Goward
Green	Gunn	Harlan	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kauffman	Kissell
Klumb	Koller	Lakin	Leake	Levin
Liese	Long	Lumpe	Marshall 26	Marshall 133
May 108	McBride	McLuckie	Mitchell	Morgan
Murphy	Murray 69	Murray 135	Nordwald	Oetting
Overschmidt	Pauley	Prost	Reynolds	Schilling
Sears 1	Shear 83	Shelton 57	Skaggs	Sombart
Stoll	Thomason 163	Treadway	Van Zandt	Wiggins
Williams 121	Williams 159	Mr. Speaker		

NOES: 077

Akin	Alter	Ballard	Barnett 4	Barry
Bennett 15	Boatright	Bonner	Broach	Burton
Chrismer	Cierpiot	Cooper	Edwards-Pavia	Elliott
Enz	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hohulin	Kasten
Keeven	Kelley 47	Kelly 27	Kreider	Legan
Linton	Lograsso	Loudon	Luetkenhaus	Marble
Mays 50	McClelland	Montgomery	Naeger	O'Toole
Ostmann	Pouche	Pryor	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Secrest	Sheldon 104	Shields
Smith	Steen	Stokan	Summers	Surface
Tate	Vogel	Wannenmacher	Whiteside	Wieland

Witt	Wooten			

PRESENT: 001

Ford

ABSENT WITH LEAVE: 010

Bland	Bray	Crump 152	Evans	O'Connor
O'Neill	Ribaudo	Thompson 37	Troupe	Ward

VACANCY: 002

Representative Barnett (4) offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 & 1409, Page 4, Section 640.715, Line 4 from the top of said page, by inserting immediately after the number "**3.**" the following: "**No new permit shall be issued for any facility within two miles of any state park, however, existing facilities within such distance may renew such permits.**

4.".

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 14.

House Substitute Amendment No. 1

for

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 4, Section 640.715, Line 4 by inserting immediately after the number "**3**" the following:

"**No new permit shall be issued for any facility within two miles of any state park or national battlefield historic site, however, existing facilities within such distance may renew such permits**"

Amend the title and enacting clause accordingly

Representative Hosmer moved that House Substitute Amendment No. 1 for House Amendment No. 14 be adopted.

Which motion was defeated.

Representative Barnett (4) moved that House Amendment No. 14 be adopted.

Which motion was defeated.

On motion of Representative Tate, **HS HCS HBs 1207, 1288, 1408 and 1409, as amended,** was adopted.

On motion of Representative Tate, **HS HCS HBs 1207, 1288, 1408 and 1409, as amended,** was ordered perfected and printed.

The Speaker resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 687: Representatives Lumpe, Days, Green, Secrest and McClelland

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **the Conference Committee Report on HS SCS SB 735 as amended** and has taken up and passed **CCS HS SCS SB 735**.

Emergency clause adopted.

BILL IN CONFERENCE

CCR HS SCS SB 735, as amended, relating to fire district elections, was taken up by Representative Liese.

On motion of Representative Liese, **CCR HS SCS SB 735, as amended,** was adopted.

by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Canuteson	Carter	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Bray	Champion	Jacob	Kreider	McBride
O'Neill	Ribaudo	Rizzo	Thompson 37	Troupe

Ward

VACANCY: 002

On motion of Representative Liese, **CCS HS SCS SB 735** was truly agreed to and finally passed by the following vote:

AYES: 146

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	

Overschmidt				
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Summers	Surface	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Akin	Bray	Clayton	Daniel 42	Jacob
Kreider	Loudon	McBride	O'Neill	Ribaudo
Rizzo	Stoll	Tate	Thompson 37	Ward

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	McClelland
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Sombart
Stokan	Summers	Surface	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 002

Hohulin	Steen

PRESENT: 000

ABSENT WITH LEAVE: 018

Bray	Clayton	Daniel 42	Jacob	Kreider
Loudon	Mays 50	McBride	McLuckie	O'Neill
Ribaudo	Rizzo	Shelton 57	Stoll	Tate
Thompson 37	Troupe	Ward		

VACANCY: 002

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HB 985, relating to official language, was taken up by Representative Franklin.

Representative McLuckie offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 985, Page 1, Section 1, Line 8, by inserting immediately after said line the following:

" **4. The official state seal and all other state symbols, buildings or any other structures or edifice which bear words or phrases in Latin or languages other than English shall be altered so such words and phrases appear in English only."**

Representative Gross raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Jacob offered House Substitute Amendment No. 1 for House Amendment No. 1.

Representative Franklin raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 1 is a frivolous amendment.

Representative Bennett (15) also raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 1 is not a true substitute.

The Chair ruled the points of order well taken.

Representative Green assumed the Chair.

Representative Cooper offered House Substitute Amendment No. 1 for House Amendment No. 1.

Representative McLuckie raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 1 is not a true substitute.

Representative Green requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

House Amendment No. 1 was withdrawn.

Representative Cooper offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 985, Page 1, Section 1, Line 8, by inserting after all of said line the following:

"**Section 2. 1. The common language is recognized to be English, and the common language is designated as the language of official public documents and records and official public meetings.**

2. Official public documents and records are all documents officially compiled, published, or recorded by the state including deeds, publicly probated wills, records of births, deaths and marriages, and all other documents, records and official public meetings prescribed by chapter 610, RSMo.

3. The provisions of this section shall not apply:

(1) To instruction in foreign language courses;

(2) To instruction designed to aid students with limited English proficiency in a timely transition and integration into the general education system;

(3) To the promotion of international commerce, tourism, and sporting events;

(4) When deemed to interfere with needs of the justice system;

(5) When the public safety, health, or emergency services require the use of other languages, except that any such authorization for the use of languages other than the common language in printing informational materials or publications for general distribution must be approved in an open public meeting held in

compliance with chapter 610, RSMo, by the governing board or authority of the relevant state or municipal entity and the decision must be recorded in publicly available minutes; or

(6) When expert testimony, witnesses or speakers may require a language other than the common language, except that for purposes of deliberation, decision making, or record keeping, the official version of such testimony or commentary shall be the officially translated English language version.

4. Pursuant to the exemptions outlined in subsection 3 of this section, all costs related to the preparation, translation, printing and recording of documents, records, brochures, pamphlets, flyers, or other information materials in languages other than the common language must be delineated as a separate budget line item in the agency, departmental, or office budget.

5. No person shall be denied employment with the state or any political subdivision of the state based solely upon that person's lack of facility in a foreign language, except where related to bona fide job needs reflected in subsection 3 of this section.

6. This section shall not be construed in any way to infringe upon the rights of citizens under the state constitution or the Constitution of the United States in the use of language in private activities. No agency or officer of the state or any political subdivision of this state may place any restrictions or requirements regarding language usage in businesses operating in the private sector other than official documents, forms, submissions, or other communications directed to government agencies and officers, which communications shall be in the common language as recognized in this section.

7. Any citizen of the state shall have standing to bring an action against the state to enforce this section. The circuit courts of this state shall have jurisdiction to hear and decide any such action brought under this subsection.".

On motion of Representative Cooper, House Amendment No. 1 was adopted by the following vote:

AYES: 092

Alter	Backer	Ballard	Barry	Bartelsmeyer
Bland	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Clayton	Cooper	Crum 112	Days	Donovan
Dougherty	Edwards-Pavia	Farmer	Farnen	Fitzwater
Garnett	Gibbons	Graham	Griesheimer	Gross
Gunn	Hand	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hohulin	Hosmer
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Klumb	Lakin	Liese	Linton	Long
Loudon	Lumpe	Marble	McClelland	McLuckie
Mitchell	Montgomery	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	Oetting	Overschmidt
Pauley	Pouche	Prost	Richardson	Ridgeway
Robirds	Sallee	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Sombart
Stokan	Stoll	Surface	Tate	Thompson 37
Troupe	Van Zandt	Wannenmacher	Whiteside	Williams 121
Witt	Mr. Speaker			

NOES: 054

Akin	Auer	Barnett 4	Bennett 15	Boatright
Chrismer	Cierpiot	Copeland	Crump 152	Daniel 42
Davis	Elliott	Enz	Evans	Fiebelman
Foley	Foster	Franklin	Froelker	Gaskill
Gratz	Green	Hagan-Harrell	Hall	Heckemeyer
Hoppe	Howerton	Keeven	Kissell	Kreider
Leake	Levin	Lograsso	Luetkenhaus	Marshall 26
May 108	Mays 50	Morgan	O'Toole	Ostmann
Pryor	Reynolds	Ross	Scheve	Schilling
Shear 83	Skaggs	Smith	Summers	Thomason 163
Treadway	Wieland	Williams 159	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 015

Bonner	Daniels 41	Ford	Goward	Koller
Legan	Marshall 133	McBride	O'Neill	Ribaudo
Rizzo	Steen	Vogel	Ward	Wiggins

VACANCY: 002

Representative Scheve assumed the Chair.

Representative Lakin offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 985, Page 1, Section 1, Line 1 by striking the word "official" and inserting in lieu thereof the word "**common**" ; and

further amend said bill, Line 5, by striking the word "official" and inserting in lieu thereof the word "**common**"

Representative Lakin moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 060

Alter	Auer	Backer	Ballard	Bland
Brown	Carter	Champion	Childers	Clayton
Cooper	Daniel 42	Days	Dougherty	Farmer
Farnen	Fitzwater	Garnett	Gunn	Hagan-Harrell
Hand	Harlan	Hendrickson	Hoppe	Hosmer
Jacob	Kauffman	Kelly 27	Lakin	Liese
Linton	Lumpe	Marble	Mays 50	McClelland
McLuckie	Morgan	Murray 69	Murray 135	Naeger
Nordwald	Pouche	Robirds	Sallee	Schilling
Sears 1	Secrest	Shear 83	Shelton 57	Shields
Smith	Sombart	Stokan	Stoll	Tate
Thompson 37	Van Zandt	Williams 121	Witt	Mr. Speaker

NOES: 080

Akin	Barnett 4	Barry	Bartelsmeyer	Bennett 15
Boatright	Boucher	Broach	Burton	Canuteson
Chrismer	Cierpiot	Copeland	Crum 112	Crump 152
Davis	Donovan	Edwards-Pavia	Enz	Evans
Fiebelman	Foley	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Hall	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hohulin	Howerton	Kasten
Keeven	Kelley 47	Kissell	Kreider	Legan
Levin	Lograsso	Long	Loudon	Luetkenhaus
Marshall 26	Marshall 133	May 108	Mitchell	Montgomery
Murphy	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Prost	Pryor	Reynolds
Ridgeway	Ross	Scheve	Schwab	Sheldon 104
Skaggs	Summers	Surface	Thomason 163	Treadway
Wannenmacher	Whiteside	Wieland	Williams 159	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 021

Bonner	Bray	Daniels 41	Elliott	Ford
Goward	Hickey	Klumb	Koller	Leake
McBride	O'Neill	Ribaudo	Richardson	Rizzo
Scott	Steen	Troupe	Vogel	Ward

Wiggins

VACANCY: 002

HB 985, as amended, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 634**, entitled:

An act to repeal sections 493.027, 493.030 and 493.050, RSMo 1994, relating to legal publications in first class counties, and to enact in lieu thereof three new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 722**, entitled:

An act to repeal sections 43.506, 302.060, 302.304, 302.309, 302.505, 302.510, 302.520, 302.530, 302.540, 302.541, 479.040, 577.001, 577.012, 577.037, 577.039, 577.041, 577.049, 577.520 and 577.525, RSMo 1994, and sections 302.010, 302.171 and 302.302, RSMo Supp. 1995, relating to operation of motor vehicles and to enact in lieu thereof twenty-four new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 740**, entitled:

An act to repeal section 292.602, RSMo 1994, and to enact in lieu thereof three new sections relating to emergency management.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 795, 542 and 563**, entitled:

An act to repeal sections 137.073, 151.150, 163.011, 163.021, 163.025 and 164.073, RSMo 1994, relating to state aid for public schools, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 802**, entitled:

An act to repeal section 105.950, RSMo 1994, relating to benefits for public officers and employees, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 854**, entitled:

An act to repeal section 260.700, RSMo 1994, relating to the midwest interstate compact on low-level radioactive waste, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 952**, entitled:

An act to repeal section 198.439, RSMo 1994, relating to nursing facility reimbursement allowance, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572 and 573**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1340**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and 1,000 copies ordered printed:

HJR 64, introduced by Representatives Auer and O'Toole, relating to taxation.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1637, introduced by Representative Chrismer, relating to the child welfare policy of this state.

The following member's presence was noted: Ward.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, March 28, 1996 .

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Sixth Day, Tuesday, March 26, 1996, page 6, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Page 9, roll call, by showing Representative Smith voting "aye" rather than "absent with leave".

Page 13, roll call, by showing Representative Gratz voting "aye" rather than "absent with leave".

Page 17, roll call, by showing Representatives Akin and McClelland voting "aye" rather than "absent with leave".

Page 17, roll call, by showing Representatives Secrest and Ridgeway voting "no" rather than "absent with leave".

Page 19, roll call, by showing Representatives Akin and Secrest voting "aye" rather than "absent with leave".

Page 26, roll call, by showing Representative Gaskill voting "aye" rather than "absent with leave".

Page 27, roll call, by showing Representatives Champion and Naeger voting "aye" rather than "absent with leave".

Page 28, roll call, by showing Representative Williams (121) voting "aye" rather than "absent with leave".

Page 30, roll call, by showing Representatives Akin, Murray (69) and Sombart voting "aye" rather than "absent with leave".

Page 31, roll call, by showing Representatives Murray (69) and Kasten voting "aye" rather than "absent with leave".

Page 33, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Page 37, roll call, by showing Representatives McClelland and Williams (121) voting "aye" rather than "absent with leave".

Page 38, roll call, by showing Representative Gaskill voting "aye" rather than "absent with leave".

Page 39, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Page 40, roll call, by showing Representatives Sallee and Levin voting "aye" rather than "absent with leave".

Page 44, roll call, by showing Representative Scheve voting "aye" rather than "absent with leave".

Page 49, roll call, by showing Representative Kasten voting "aye" rather than "absent with leave".

Page 51, roll call, by showing Representative McLuckie voting "aye" rather than "absent with leave".

Page 52, roll call, by showing Representative Evans voting "aye" rather than "absent with leave".

Page 53, roll call, by showing Representative Liese voting "aye" rather than "present".

Page 54, roll call, by showing Representative Scheve voting "aye" rather than "absent with leave".

Page 55, roll call, by showing Representative McClelland voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ELECTIONS

Tuesday, April 2, 1996, 9:00 am. Hearing Room 7

To be considered - Executive Session - SB 598

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Thursday, March 28, 1996, 9:45 am. Side gallery.

To be considered - Executive Session - HR 347, Executive Session - SB 537,

Executive Session - SCR 18, Executive Session - SCR 19, Executive Session - SCR 24

MISCELLANEOUS BILLS AND RESOLUTIONS

Thursday, March 28, 1996, 9:45 am. Side gallery.

To be considered - Executive Session - HCR 11

STATE PARKS, RECREATION AND NATURAL RESOURCES

Thursday, March 28, 1996, 9:15 am. Hearing Room 5. Executive session.

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Monday, April 1, 1996, 1:30 pm. Hearing Room 7. Contested fiscal notes.

To be considered - SB 868, HB 1377

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Thursday, March 28, 1996, 9:00 am. Side gallery.

To be considered - Executive Session - HB 1461, Executive Session - SB 783

HOUSE CALENDAR

FORTY-EIGHTH DAY, THURSDAY, MARCH 28, 1996

HOUSE JOINT RESOLUTION FOR SECOND READING

HJR 64

HOUSE BILL FOR SECOND READING

HB 1637

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 42 - Hosmer

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1020 - Lakin

Forty-seventh Day-Wednesday, March 27, 1996

HOUSE BILLS FOR PERFECTION

1 HB 985, as amended - Franklin
2 HB 1368 - May (108)
3 HCS HB 1363 - Mays (50)
4 HB 1113 - Stoll
5 HB 811 - Smith
6 HB 962 - Lumpe
7 HB 1361, HCA 1, Gibbons - Treadway
8 HCS HB 1372 - Mays (50)
9 HCS HB 1174 & 1309 - May (108)
10 HCS HB 1159, 842 & 799 - Jacob
11 HB 908, HCA 1 Thomason (163) - Ross
12 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
13 HB 852, HCA 1 - Canuteson
14 HCS HB 999 - Treadway

15 HCS HB 1186 - Hoppe
16 HCS HB 1237 - Rizzo
17 HB 1241 - Witt
18 HCS HB 1185 - McClelland
19 HB 839 - Luetkenhaus
20 HB 1411 - Loudon
21 HCS HB 1149,1150 & 1240 - Jacob
22 HCS HB 894 - Bray
23 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
24 HB 1380 - Lumpe
25 HCS HB 1557 & 1489 - Days
26 HCS HB 987, 1155, 1158 & 1219 - Jacob
27 HCS HB 1403 - Dougherty
28 HB 1247 - Shelton (57)
29 HCS HB 1588 - Overschmidt
30 HB 944, HCA 1 - Smith
31 HB 1154 - Murray (69)
32 HCS HB 1540 - Green
33 HB 993 - Williams (121)
34 HB 854 - Bland

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacobs

HB 1243, HCA 1 - Farmer

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 876 - Bray

HB 1506 - O'Neill

Forty-seventh Day-Wednesday, March 27, 1996

HOUSE BILLS FOR PERFECTION - CONSENT

(March 21, 1996)

HB 1554 - Richardson

HB 1466 - Rizzo

(March 25, 1996)

HB 1419 - Backer

HB 1604 - Burton

HB 1601 - Backer

HB 1610 - Farnen

(March 27, 1996)

HB 1050 - Witt

HB 1598 - Hosmer

HOUSE BILLS FOR THIRD READING

1 HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer
2 HB 1377, (Budget Fiscal 3-4-96) - Bland
3 HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole
4 HB 782, (Budget Fiscal 3-20-96) - Stokan
5 HS HCS HB 1169 & 1271, (Budget Fiscal 3-25-96) - Williams (121)
6 HS HCS HB 1301 & 1298, (Budget Fiscal 3-25-96) - McLuckie
7 HS HB 832, (Budget Fiscal 3-26-96) - Montgomery
8 HS HCS HB 1207, 1288, 1408 & 1409, E.C. - Tate

SENATE BILLS FOR SECOND READING

SB 634

SS SCS SB 722

SB 740

SS SCS SB 795,542 & 563

SB 802

SB 854

SB 952

BILL IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

Forty-seventh Day-Wednesday, March 27, 1996

COURTESY RESOLUTIONS

HR 508 - Backer

HR 509 - Enz

HR 510 - Hendrickson

HR 511 - Stoll

HR 512 - Hohulin

HR 513 - Williams (121)

HR 514 - Murray (69)

HR 515 - Murphy

HR 516 - Ross

HR 517 - Wieland

HR 518 - Harlan

HR 519 - Backer

HR 520 - Gibbons

HR 521 - Summers

HR 522 - Mays (50)

HR 523 - Murray (135)

HR 524 - Crum (112)

HR 525 - Scott

HR 526 - Luetkenhaus

HR 527 - Luetkenhaus

HR 528 - Luetkenhaus

HR 529 - Brown

HR 530 - Gross

HR 531 - Gross

HR 532 - Gross

HR 533 - Bennett (15)

HR 534 - Ostmann

HR 535 - Ostmann

HR 536 - Stokan

HR 537 - Sombart

HR 538 - Gaw

HR 539 - Kauffman

HR 540 - Kauffman

HR 541 - Kauffman

HR 542 - Kauffman

HR 543 - Kauffman

HR 545 - Kauffman

HR 546 - Kauffman

HR 547 - Kauffman

HR 548 - Kauffman

HR 549 - Gratz

HR 550 - Nordwald

HR 551 - Surface

HR 552 - Boatright

HR 553 - Lumpe

HR 544 - Hagan-Harrell

HR 555 - Smith

HR 556 - Oetting

HR 558 - Brown

HR 559 - Morgan

HR 560 - Marshall (26)

HR 561 - Marshall (26)

HR 562 - Marshall (26)

HR 563 - Shelton (57)

HR 564 - Alter

HR 565 - McClelland

HR 566 - Marble

HR 567 - Levin

HR 568 - Luetkenhaus

HR 569 - Rizzo

HR 570 - Morgan

HR 571 - Mays (50)

HR 572 - Champion

HR 573 - Shields

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House Journal

Second Regular Session, 88th General Assembly

FORTY-EIGHTH DAY, Thursday, March 28, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"It is the Passover of the Lord." (Ex. 12:11)

On Sunday the Christian world will celebrate the beginning of Holy Week and the Jewish world will begin Passover on Wednesday at sunset.

We pray, Eternal author of freedom, for our own personal "passover" from slavery to new life, from death-dealing conduct to life-giving activity. May we cease to rationalize sin and violence against humans, against the earth and its resources so that we can enter into our own Promised Land and help create a place of Shalom/Peace which is given to us as a gift from you, our God, who wants us to live in freedom under your law. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Drew G. Phillips, Megan Stuesse, Brad Sadle, Jon Yochum, Jackie Suellentrop, Jessica Kerns, Jacqueline Kerns, Shanda Warden, Samantha (Reynolds) Nicholas, Luke Wood, Laura Pearcy, Abby Kropp and Naomi Evers.

The Journal of the forty-seventh day was approved as corrected.

RESOLUTIONS

Representative Vogel offered House Resolution No. 574, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear (83) offered House Resolution No. 575, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Canuteson offered House Resolution No. 576, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution No. 577, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 578, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution No. 588, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ostmann offered House Resolution No. 579, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 580, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griesheimer offered House Resolution Nos. 581 and 582, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler offered House Resolution Nos. 583 through 585, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bray offered House Resolution No. 586, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 587, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farmer offered House Resolution Nos. 589 through 591, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hohulin offered House Resolution No. 592, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hohulin offered House Resolution No. 593, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 508 through 556 and House Resolution Nos. 558 through 573 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 508 through 556 and House Resolution Nos. 558 through 573 were adopted.

SECOND READING OF HOUSE JOINT RESOLUTION

HJR 64 was read the second time.

SECOND READING OF HOUSE BILL

HB 1637 was read the second time.

SECOND READING OF SENATE BILLS

SB 634, SS SCS SB 722, SB 740, SS SCS SB 795, 542, & 563, SB 802, SB 854 and **SB 952** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HBs 1207, 1288, 1408 & 1409**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HB 985, **as amended,** relating to official language, was again taken up by Representative Franklin.

Representative Skaggs, having voted on the prevailing side, moved that the vote by which **House Amendment No. 2** was defeated be reconsidered.

Which motion was adopted by the following vote:

AYES: 132

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Boatright	Bonner	Boucher
Bray	Broach	Brown	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Hartzler

124				
Heckemeyer	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Levin	Liese	Long
Lumpe	Marshall 26	Marshall 133	May 108	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Tate	Thomason
163				
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wiggins	Williams 121	Williams
159				
Witt	Mr. Speaker			

NOES: 020

Bennett 15	Burton	Daniel 42	Foster	Hall
Hegeman	Hohulin	Keeven	Legan	Linton
Lograsso	Loudon	Marble	Reynolds	
Richardson				
Scott	Steen	Surface	Wieland	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 009

Akin	Bland	Canuteson	Luetkenhaus	Mays 50
Ribaudo	Shear 83	Sheldon 104	Ward	

VACANCY: 002

House Amendment No. 2 was again taken up by Representative Lakin.

On motion of Representative Lakin, House Amendment No. 2 was adopted.

Representative Shear (83) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 985, by inserting at the end of House Bill 985 a new section:

Section 3

No section of this act shall interfere with the resettlement of refugees and legal immigrant for a period of eight months after their arrival in the United States. Nor shall any section of this act interfere with the public-private partnerships engaged in resettling, finding employment for, and acculturating new Americans (legal immigrants, refugees, and asylees). Nor shall any section of this act interfere with said partnerships assisting new Americans to learn and become proficient in English.

On motion of Representative Shear (83), House Amendment No. 3 was adopted by the following vote:

AYES: 087

Alter	Auer	Backer	Barry	Bland
Bonner	Boucher	Bray	Brown	Carter
Clayton	Crum 112	Crump 152	Daniel 42	Daniels
41				
Davis	Days	Donovan	Dougherty	Edwards-
Pavia				
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Garnett	Goward	Green
Gunn	Hagan-Harrell	Hand	Harlan	
Heckemeyer				
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Levin	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murphy	Murray 69	Murray 135	O'Connor	O'Neill
O'Toole	Overschmidt	Pauley	Reynolds	Rizzo
Scheve	Schilling	Shear 83	Shelton 57	Skaggs
Smith	Stokan	Stoll	Tate	Thompson

37				
Van Zandt	Whiteside	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 067

Akin	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Broach	Burton	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Elliott
Enz	Evans	Foster	Froelker	Gaskill
Gibbons	Graham	Gratz	Griesheimer	Gross
Hall	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kelley 47	Legan	Linton
Lograsso	Long	Loudon	Marble	Marshall 133
Mitchell	Naeger	Nordwald	Oetting	Ostmann
Pouche	Prost	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Sheldon 104	Shields	Sombart	Steen
Summers	Surface	Thomason 163	Treadway	Vogel
Wannenmacher	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 007

Canuteson	Keeven	Ribaudo	Sears 1	Troupe
Ward	Witt			

VACANCY: 002

Representative McLuckie offered House Amendment No. 4.

House Amendment No. 4

AMEND House Bill No. 985, Page 1, Section 1, Line 8, by inserting immediately after said line the following:

"**4. This section shall not apply to sign language. The Missouri Commission for the Deaf shall be able to use sign language in the conduct of its meetings, and all state departments, agencies, and state-supported institutions shall be permitted to use sign language in dealing with hearing impaired or speech impaired citizens of Missouri. For purposes of this section "sign language" shall mean American sign language, pidgin, signed English, and all variations of sign language used by the hearing impaired, speech impaired, or interpreters for the hearing or speech impaired.**"

On motion of Representative McLuckie, House Amendment No. 4 was adopted.

Representative Bland offered House Amendment No. 5.

House Amendment No. 5

AMEND House Bill No. 985, Page 1, Section 1, Line 8, by inserting immediately after said line the following:

"Section A. This act is hereby submitted to the qualified voters of this state for approval or rejection at the general election which shall be held on Tuesday next following the first Monday in November, 1996, pursuant to the laws and constitutional provisions of this state applicable to general elections and the submission of referendum measures by initiative petitions, and it shall become effective when approved by a majority of the votes cast thereon at such election and not otherwise."

Representative Bland moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 038

Auer	Backer	Bland	Boucher	Carter
Daniel 42	Daniels 41	Days	Dougherty	Farmer
Fiebelman	Ford	Gunn	Harlan	Hoppe
Jacob	Kelly 27	Klumb	Liese	Lumpe
May 108	Mays 50	McLuckie	Montgomery	Morgan
Murray 69	O'Neill	Reynolds	Rizzo	Scheve
Schilling	Shear 83	Sheldon 104	Shelton 57	Stokan
Thompson 37	Van Zandt	Williams 121		

NOES: 111

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Bonner	Bray
Broach	Brown	Burton	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Davis	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Kasten
Kauffman	Kelley 47	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Linton
Lograsso	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	McBride	McClelland	Mitchell	Murphy
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Ross	Sallee
Schwab	Scott	Sears 1	Secrest	Shields
Skaggs	Smith	Sombart	Steen	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Wannenmacher	Wieland	Williams 159	Witt	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 012

Canuteson	Clayton	Keeven	Long	Oetting
Ribaudo	Robirds	Troupe	Vogel	Ward
Whiteside	Wiggins			

VACANCY: 002

Representative Gaskill offered House Amendment No. 6.

Representative Thompson (37) offered House Amendment No. 1 to House Amendment No. 6.

House Amendment No. 1 to House Amendment No. 6 was withdrawn.

House Amendment No. 6 was withdrawn.

Representative Gaskill offered House Amendment No. 6.

House Amendment No. 6

AMEND House Bill No. 985, Page 1, Section 1, Line 8, by inserting after all of said line the following:

"**Section 2. Notwithstanding any provisions of law to the contrary, nothing in this act shall preclude any governmental agency from offering services, communicating or publishing any material in a language other than the English language.**".

Representative Gaskill moved that House Amendment No. 6 be adopted.

Which motion was defeated by the following vote:

AYES: 049

Auer	Backer	Ballard	Barry	Bland
Boucher	Brown	Daniel 42	Davis	Days
Dougherty	Farmer	Farnen	Foster	Gaskill
Gunn	Harlan	Hoppe	Hosmer	Kelly 27
Klumb	Lakin	Levin	Liese	Lumpe
May 108	Mays 50	McClelland	McLuckie	Mitchell
Morgan	Murphy	Murray 69	Murray 135	O'Neill
Reynolds	Rizzo	Scheve	Schilling	Shear 83
Shelton 57	Smith	Stokan	Tate	Thompson 37
Van Zandt	Williams 121	Witt	Mr. Speaker	

NOES: 091

Akin	Alter	Barnett 4	Bartelsmeyer	Bennett 15

Boatright	Bonner	Broach	Burton	Carter
Champion	Childers	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Fiebelman	Fitzwater	Foley
Ford	Franklin	Froelker	Garnett	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Howerton	Kasten	Kauffman	Kelley 47	Koller
Kreider	Linton	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	McBride	Montgomery	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Secrest	Sheldon 104	Shields	Skaggs
Sombart	Steen	Stoll	Summers	Surface
Thomason 163	Treadway	Wannenmacher	Wieland	Williams 159

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 021

Bray	Canuteson	Chrismer	Copeland	Daniels 41
Heckemeyer	Jacob	Keeven	Kissell	Leake
Legan	Lograsso	Long	Ribaudo	Scott
Sears 1	Troupe	Vogel	Ward	Whiteside

Wiggins

VACANCY: 002

Representative Thompson (37) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Bill No. 985, page 1, Section 1, line 5, by inserting immediately before the period on said line the following:

"**except upon a finding by the court that the failure of the state to provide copies of laws, regulations, reports, forms or other documents in another language denies a resident of Missouri of the resident's due process and equal protection rights and in which case the state shall provide such documents in a language which best guarantees such constitutional rights**"

Representative Thompson (37) moved that House Amendment No. 7 be adopted.

Which motion was defeated by the following vote:

AYES: 022

Auer	Bland	Boucher	Carter	Daniel 42
Days	Dougherty	Farmer	Gunn	Kelly 27
Lumpe	McLuckie	Morgan	Murray 69	Reynolds
Rizzo	Schilling	Shear 83	Shelton 57	Stokan
Thompson 37	Van Zandt			

NOES: 127

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Brown	Burton	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Davis	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Klumb	Koller	Kreider

Lakin	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland 135	Mitchell	Montgomery	Murphy	Murray
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shields	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bray	Canuteson	Daniels 41	Harlan	Keeven
Kissell	Linton	Ribaudo	Troupe	Vogel
Ward	Witt			

VACANCY: 002

On motion of Representative Franklin, **HB 985, as amended,** was ordered perfected and printed by the following vote:

AYES: 129

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Brown	Burton	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	Mitchell	Montgomery	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shields	Skaggs	Smith	Sombart	Steen
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 023

Auer	Bland	Boucher	Bray	Carter
Daniel 42	Days	Dougherty	Farmer	Gunn
Hagan-Harrell	Harlan	Jacob	Kauffman	McLuckie
Morgan	Reynolds	Rizzo	Schilling	Shelton 57
Thompson 37	Van Zandt	Witt		

PRESENT: 000

ABSENT WITH LEAVE: 009

Canuteson	Garnett	Keeven	Kissell	Ribaudo
Stokan	Troupe	Vogel	Ward	

VACANCY: 002

SIGNING OF SENATE BILL

All other business of the House was suspended while **CCS HS HCS SB 735** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

PERFECTION OF HOUSE BILL

HB 1368, relating to unemployment compensation, was taken up by Representative May (108).

Representative May (108) offered **HS HB 1368**.

Representative Pryor offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1368, Page 25, Section 288.050, Line 8, by inserting at the end of said line the following: "**The following shall be considered as "misconduct" and subject to the restrictions of this subsection: A claimant found to be in violation of an attendance or tardiness policy that had been communicated in writing to all employees and posted in a conspicuous place at the worksite where the claimant was employed. If the claimant was a member of a collective bargaining unit at the time of unemployment and the agreement between the former employer and the collective bargaining unit contains a provision on attendance or tardiness, such clause shall be deemed communication in writing to the claimant for purposes of this subsection. No provision of an attendance or tardiness policy which is not in conformity with the federal Family and Medical Leave Act of 1993 shall result in a loss of benefits pursuant to this subsection.**".

Representative Pryor moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham	Gratz	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Kelley 47	Legan	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	McClelland	Mitchell
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface
Thomason 163	Wannenmacher	Whiteside	Wieland	Williams 159

NOES: 075

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Carter	Clayton	Copeland
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Green	Griesheimer
Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hickey
Hoppe	Hosmer	Jacob	Kelly 27	Klumb
Koller	Lakin	Leake	Levin	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Montgomery	Morgan	Murphy
Murray 69	O'Connor	O'Neill	O'Toole	Overschmidt
Reynolds	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Stokan	Stoll	Tate	Thompson 37	Treadway
Van Zandt	Wiggins	Williams 121	Witt	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 016

Canuteson	Daniel 42	Elliott	Ford	Garnett
Goward	Keeven	Kissell	Kreider	Pauley
Prost	Ribaudo	Troupe	Vogel	Ward

Wooten

VACANCY: 002

HB 1368, with HS, pending, was laid over.

COMMITTEE REPORTS

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 923**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 925**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 927**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1086**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1195**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1332**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1209**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Not Pass.**

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1462**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Not Pass.**

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **HB 1542**, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

Committee on Federal-State Relations and Veterans Affairs, Chairman Montgomery reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **HR 347**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 347

Whereas, the members of the Missouri House of Representatives proudly join in supporting a worthwhile initiative to pay tribute to a brave group of Missouri fighting men whose valiant and heroic deeds have earned them a special place in history; and

Whereas, during the historic Battle of the Alamo in San Antonio, Texas, the most widely- recognized and time-honored event of the war between the United States and Mexico, five Missouri volunteers laid down their lives for the cause of securing independence and statehood for Texas; and

Whereas, few fighting men in history possessed the bravery and determination of these five dedicated volunteers, who were Captain William Charles M. Baker, George D. Butler, Charles Henry Clark, Jerry C. Day, and George W. Tumlinson; and

Whereas, other brave fighting men at the Alamo who had Missouri connections included Jacob Darst, who had moved from Missouri to Gonzales, Texas, and who touched off what is now considered to be the first shot of the Texas Revolution; George Washington Cottle, a member of one of Missouri's pioneering families who moved to Texas and settled in Gonzales; Daniel William Cloud, a would-be St. Louis lawyer who had come to Texas and enlisted with the Texas Volunteers; Gordon Jennings, a private in the Texas Militia; and John Smith, the first mayor of San Antonio who became the last man to leave the Alamo alive when he slipped through the fortress walls carrying a plea for help on behalf of the men inside; and

Whereas, the state of Missouri has figured prominently in the history of the state of Texas through the efforts of many Missouri-born settlers, soldiers, and leaders, including Moses Austin and his son, Stephen Austin, who was known as "The Father of Texas"; and

Whereas, Glen Whitener of Whitener Monuments, Inc, in Kennett, Missouri, and the Monument Builders of Missouri, are currently undertaking a project to erect a suitable memorial for the Missouri patriots who fought and died at the Alamo:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby wholeheartedly support the efforts of Glen Whitener and the Monument Builders of Missouri in their efforts to make a lasting memorial recognizing the role of Missourians in the fight for Texas independence, and respectfully request the Texas legislature and the Texas State Historical Society to join in supporting this most admirable project.

Committee on Urban Affairs, Chairman Thompson (37) reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, the South African government is now a Government of National Unity after its first- ever free and fair elections, which have strengthened the global ideal of racial equality and democracy; and

WHEREAS, the South African government is now able to participate in global trade areas which include joint ventures, technology exchanges, and investment, and seeks partnerships in the areas of peace, democracy, and economic growth with the United States; and

WHEREAS, Missouri leadership and economic exchange is a vital link to the success of any such partnerships established between South Africa and the United States; and

WHEREAS, five female members of the New South African Parliament, Ms. Joyce Lesoana Kgoali, Ms. Lydia Kompe, Ms. Motlatji Ane Letsebe, Ms. Beatrice Marshoff, and Ms. Sibongile Elizabeth Mthembu, visited the Missouri House of Representatives in January, 1995, as part of a project entitled *The U.S. Political Process, Constituency Relations: Ensuring the Accountability of Elected Representatives*; and

WHEREAS, these five dignitaries from South Africa enjoyed a highly successful and productive visit to Missouri with the assistance of their U.S. Escort, Ms. Mary Beth Braun, and the leadership provided by Missouri Representatives Paula J. Carter, Sue Shear, Mary Bland, Rita Days, and Sheila Lumpe; and

WHEREAS, thirty percent of the parliamentarians in the new South African government are women, while only twenty percent of the legislators in Missouri's General Assembly are women, a fact which suggests that Missouri has lessons to learn from South Africa in our mutual efforts to achieve a just society; and

WHEREAS, the State of Missouri has unique ties to South Africa that have come by way of its educational facilities and teacher exchange programs; and

WHEREAS, South African interest in developing economic ties to the United States was clearly evident in 1993, when various business entities participated in a Made in USA Exhibition in Johannesburg; and

WHEREAS, South African government leaders have invited members of the Missouri Legislative Black Caucus to the country for insight into the needs and opportunities that exist there; and

WHEREAS, Missouri state employees visited Johannesburg and Capetown in South Africa to develop trade relations in 1993; and

WHEREAS, South Africa serves as the primary catalyst toward promoting trade with the remainder of the African continent; and

WHEREAS, Missouri legislators and business leaders can be at the forefront of the development of the "new South Africa":

NOW, THEREFORE, BE IT RESOLVED by the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, that there be hereby created a new bipartisan "Commission on Investment Opportunities and Trade Relationships Between South Africa and Missouri" to implement the Commission Recommendations generated from the *Report of the Joint Commission of Investment Opportunities and Trade Relations Between South Africa and Missouri* delivered in April, 1995; and

BE IT FURTHER RESOLVED that the Missouri Department of Economic Development be requested to provide representatives for consideration as appointed members of the commission and provide assistance in formulating plans of action for the Commission with a specific focus on raising the levels of imports and exports; and

BE IT FURTHER RESOLVED that the commission be allowed to obtain any technical, clerical, or secretarial services it deems necessary from the Committee on Legislative Research, and further be allowed to call upon the Senate Research staff, the House Research staff, and any other persons and organizations with appropriate knowledge and expertise; and

BE IT FURTHER RESOLVED that the members of the commission be reimbursed for the actual and necessary expenses incurred in the performance of their official duties from the House Contingency Fund.

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **HB 1525**, begs leave to report it has

examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Workers Compensation and Employment Security, Chairman O'Neill reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **HB 1461**, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SB 687, as amended**: Senators Goode, Klarich, Lybyer, Sims and Schneider.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 868**, entitled:

An act to repeal section 287.210, RSMo 1994, relating to workers' compensation, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1019 - Budget

HS HCS HB 1207, 1288, 1408 and 1409 - Budget (Fiscal Note)

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1638, introduced by Representative Boucher, relating to combative fighting.

HB 1639, introduced by Representative Bennett (15), relating to the mobile home park rights act.

HB 1640, introduced by Representative Bennett (15), et al, relating to income tax.

COMMUNICATIONS

Honorable Steve Gaw

Speaker of the House, Room 308

State Capitol Building

Jefferson City, Missouri 65101

Dear Mr. Speaker:

We, the undersigned, comprising more than one-third of the membership of the Missouri House of Representatives do hereby request, pursuant to Article III, Section 22, of the Constitution of the State of Missouri and Rule 36 of the Rules of this House, that the Education-Elementary & Secondary Committee (Representative Morgan, Chairman) be relieved of **HB 1463** pertaining to School Standards and that said bill be placed upon the House Calendar as provided by Rule 36 of the House.

/s/T. Mark Elliott 127 /s/Paul Sombart 117 /s/Glenn Hall 56
/s/Jim Graham 106 /s/Sam Gaskill 131 /s/Norma Champion 134
/s/Charlie Shields 28 /s/Don Steen 115 /s/Linda Bartelsmeyer 132
/s/Jim Murphy 95 /s/Rich Chrismer 16 /s/Delbert Scott 119
/s/Carl Vogel 114 /s/John Loudon 88 /s/Patricia Secrest 93
/s/Jon Bennett 15 /s/Chuck Pryor 116
/s/Matt Boatright 118
/s/Luann Ridgeway 35 /s/Jim Froelker 111 /s/ Bonnie Sue Cooper
32
/s/Philip Wannenmacher 139 /s/Bill Foster 156
/s/Patrick Naeger 155
/s/Marilyn Edwards-Pavia 105 /s/Don Summers 2
/s/Bill Marshall 133
/s/Charlie Nordwald 19 /s/Jim Howerton 120 /s/ Laurie Donovan 74

/s/Michael Gibbons 94 /s/Catherine Enz 99 /s/ Bill Alter 90
/s/Brent Evans 92 /s/Rex Barnett 4 /s/Bubs Hohulin 126
/s/Gary Marble 130 /s/Vicky Hartzler 124 /s/Charles Ballard 140
/s/Fred Pouche 30 /s/ Paul Wieland 101 /s/Pat Kelley (47)
/s/Chuck Surface 129 /s/ Carl Hendrickson 97 /s/Raymond (Bill) Hand 87
/s/Don Lograsso 54 /s/Dale Whiteside 7 /s/ Bill Linton 89
/s/Ken Legan 145 /s/Harriett Tatum Brown 13 /s/Connie Cierpiot 52
/s/Cindy Ostmann 14 /s/Estel Robirds 143 /s/David Levin 82
/s/Chuck Gross 18 /s/Connie Wible Murray 135 /s/John Griesheimer 109
/s/Doyle Childers 141 /s/Daniel Hegeman 5 /s/Mary Lou Sallee 144
/s/Gary Burton 128 /s/Emmy McClelland 91 /s/David Broach 102

Honorable Steve Gaw

Speaker of the House, Room 308

State Capitol Building

Jefferson City, MO 65101

Dear Mr. Speaker:

We, the undersigned, comprising more than one-third of the membership of the Missouri House of Representatives do hereby request, pursuant to Article III, Section 22, of the Constitution of the State of Missouri and Rule 36 of the Rules of this House, that the Workers Compensation and Employment Security Committee (Representative O'Neill, Chairman) be relieved of **HB 1461** pertaining to Workers' Compensation and that said bill be placed upon the House Calendar as provided by Rule 36 of the House.

/s/Patricia Secrest 93 /s/Mark Richardson 154 /s/Chuck Pryor 116
/s/Gary Marble 130 /s/Raymond Hand 87 /s/Sam Gaskill 131
/s/Glenn Hall 56 /s/Gary Burton 128 /s/Emmy McClelland 91
/s/Bill Linton 89 /s/Charlie Shields 28 /s/Harriett Tatum Brown 13
/s/Bill Alter 90 /s/Carl Vogel 114 /s/Fred Pouche 30
/s/Jess Garnett 151 /s/Don Steen 115 /s/Norma Champion 134
/s/Ken Legan 145 /s/Jim Graham 106 /s/Bill Foster 156
/s/Beth Long 146 /s/W. W. (Bill) Gratz 113 /s/Jim Howerton 120
/s/Jim Murphy 95 /s/Chuck Gross 18 /s/Bubs Hohulin 126
/s/Pat Kelley 47 /s/James W. Mitchell 148 /s/Daniel J. Hegeman 5
/s/Mary Kasten 158 /s/Brent Evans 92 /s/Bonnie Sue Cooper 32
/s/Chuck Surface 129 /s/Carson Ross 55 /s/Dale Whiteside 7
/s/Mary Sallee 144 /s/Estel Robirds 143 /s/Doyle Childers 141
/s/Connie Wible Murray 135 /s/Cindy Ostmann 14 /s/Paul Sombart 117
/s/Charles Nordwald 19 /s/David Schwab 157 /s/Charles Ballard 140
/s/T. Mark Elliott 127 /s/Rich Chrismer 16 /s/Todd Akin 86
/s/Don Lograsso 54 /s/Paul Wieland 101 /s/Jim Froelker 111
/s/Linda Bartelsmeyer 132 /s/Dave Oetting 122 /s/Matt Boatright 118
/s/Sandra Kauffman 45 /s/Ed Hartzler 123 /s/Michael Gibbons 94
/s/Bill Marshall 133 /s/John Loudon 88 /s/Carl H. Hendrickson 97
/s/Vicky Hartzler 124 /s/Rex Barnett 4 /s/Catherine Enz 99
/s/Connie J. Cierpiot 52 /s/Delbert Scott 119 /s/Luann Ridgeway 35
/s/Philip Wannenmacher 139 /s/Patrick Naeger 155 /s/Don Summers 2

/s/Jon Bennett 15

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 2:30 p.m., Monday, April 1, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Seventh Day, Wednesday, March 27, 1996, pages 1 and 2, roll call, by showing Representative Levin voting "present" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representative Donovan voting "aye" rather than "absent with leave".

Pages 10 and 11, roll call, by showing Representative O'Connor voting "aye" rather than "absent with leave".

Page 11, roll call, by showing Representative Evans voting "no" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representatives Champion and Kreider voting "aye" rather than "absent with leave".

Pages 13 and 14, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Page 14, roll call, by showing Representative Stoll voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 2, 1996, 8:30 am. Hearing Rooms 1 & 2.

To be considered - HB 1603, HB 1618, HB 1555, SB 572

ELECTIONS

Tuesday, April 2, 1996, 9:00 am. Hearing Room 7

To be considered - Executive Session - SB 598

INSURANCE

Tuesday, April 2, 1996, 8:00 am. Hearing Room 8

To be considered - HB 1547, SB 664, SB 883

LABOR

Tuesday, April 2, 1996, 8:00 pm. Hearing Room 8

To be considered - HB 1347, SB 565

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 2, 1996. Hearing Room 8 upon morning adjournment.

Executive session may follow.

To be considered - HB 1631, SJR 29, SB 497, SB 676, SB 914, SB 806

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 2, 1996, 1:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - SB 758, SB 530, HB 1546

RETIREMENT

Wednesday, April 3, 1996, 8:00 pm. Hearing Room 2.

Executive session may follow.

To be considered - SB 860, SB 900

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Monday, April 1, 1996, 1:30 pm. Hearing Room 7. Contested fiscal notes.

To be considered - SB 868, HB 1377

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, April 2, 1996. Side gallery upon morning adjournment.

Executive session.

To be considered - SB 715, SB 846

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 1, 1996, 8:00 pm. Hearing Room 5

To be considered - SB 730, SB 731, SB 733

HOUSE CALENDAR

FORTY-NINTH DAY, MONDAY, APRIL 1, 1996

HOUSE BILLS FOR SECOND READING

HB 1638 and HB 1640

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

HJR 57 - Scheve

HJR 49 - Tate

HJR 58 - Lumpe

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HCS HB 1020 - Lakin

HOUSE BILLS FOR PERFECTION

1 HB 1368, HS, pending - May (108)
2 HCS HB 1363 - Mays (50)
3 HB 1113 - Stoll
4 HB 811 - Smith
5 HB 962 - Lumpe
6 HB 1361, HCA 1, Gibbons - Treadway
7 HCS HB 1372 - Mays (50)
8 HCS HB 1174 & 1309 - May (108)
9 HCS HB 1159, 842 & 799 - Jacob
10 HB 908, HCA 1 Thomason (163) - Ross
11 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
12 HB 852, HCA 1 - Canuteson
13 HCS HB 999 - Treadway
14 HCS HB 1186 - Hoppe
15 HCS HB 1237 - Rizzo
16 HB 1241 - Witt
17 HCS HB 1185 - McClelland
18 HB 839 - Luetkenhaus
19 HB 1411 - Loudon
20 HCS HB 1149,1150 & 1240 - Jacob
21 HCS HB 894 - Bray
22 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
23 HB 1380 - Lumpe
24 HCS HB 1557 & 1489 - Days
25 HCS HB 987, 1155, 1158 & 1219 - Jacob
26 HCS HB 1403 - Dougherty
27 HB 1247 - Shelton (57)
28 HCS HB 1588 - Overschmidt
29 HB 944, HCA 1 - Smith
30 HB 1154 - Murray (69)
31 HCS HB 1540 - Green
32 HB 993 - Williams (121)
33 HB 854 - Bland
34 HB 1312 - Tate
35 HCS HB 843 - Daniels (41)
36 HB 1133 - Witt
37 HB 855 - Bland
38 HCS HB 830 & 1082 - Carter
39 HB 1228, HCA 1 - Harlan
40 HB 1279 - Tate
41 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
42 HCS HB 829 & 1254 - May (108)
43 HB 1414, HCA 1 - Smith

44 HCS HB 960 - Rizzo
45 HB 1436, HCA 1 - Dougherty
46 HB 1399, HCA 1 - Leake
47 HCS HB 1112 - Koller
48 HCS HB 1204 - Wiggins
49 HB 816, HCA 1 - Backer
50 HCS HB 961 - Boucher
51 HB 1535 - Kissell
52 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
53 HCS HB 1429 - Liese
54 HCS HB 1143 - Witt
55 HB 856, HCA 1 - Bland
56 HB 1310 - Tate
57 HCS HB 1175, 1120 & 797 - Gratz
58 HCS HB 912 & 1108 - Treadway
59 HB 1579 - Skaggs
60 HB 1562 - Witt
61 HCS HB 1374 - Scheve
62 HB 801, HCA 1 - Schilling
63 HB 1443, HCA 1, HCA 1 - Prost
64 HB 1289 - Liese
65 HCS HB 1278 & 1277 - May (108)
66 HB 1590, HCA 1 - Harlan
67 HB 1145 - Shear (83)
68 HCS HB 1115 - Montgomery
69 HCS HB 1206 & 1484 - Hosmer
70 HB 1575 - Loudon
71 HB 1180 - Williams (159)
72 HB 1080, HCA 1 - Troupe
73 HCS HB 1430 & 1165 - Hosmer
74 HCS HB 1000 - Treadway
75 HCS HB 840 & 841 - Luetkenhaus
76 HB 833, HCA 1 - Dougherty
77 HCS HB 1465 - Hoppe
78 HB 1245 - Farmer
79 HCS HB 867, 893 & 1401 - Morgan
80 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacobs

HB 1243, HCA 1 - Farmer

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 876 - Bray

HB 1506 - O'Neill

HOUSE BILLS FOR PERFECTION - CONSENT

(March 25, 1996)

HB 1419 - Backer

HB 1604 - Burton

HB 1601 - Backer

HB 1610 - Farnen

(March 27, 1996)

HB 1050 - Witt

HB 1598 - Hosmer

(April 1, 1996)

HB 1156 - Scheve

HB 1086 - Fiebelman

HOUSE BILLS FOR THIRD READING

HCS HB 800,812,817 & 821, (Budget Fiscal 3-4-96) - Hosmer

HB 1377, (Budget Fiscal 3-4-96) - Bland

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 782, (Budget Fiscal 3-20-96) - Stokan

HS HCS HB 1169 & 1271, (Budget Fiscal 3-25-96) - Williams (121)

HS HCS HB 1301 & 1298, (Budget Fiscal 3-25-96) - McLuckie

HS HB 832, (Budget Fiscal 3-26-96) - Montgomery

HS HCS HB 1207, 1288, 1408 & 1409, E.C. (Budget Fiscal 3-28-96) - Tate

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1554 - Richardson

HB 1466 - Rizzo

SENATE BILL FOR SECOND READING

SB 868

BILL IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

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House Journal

Second Regular Session, 88th General Assembly

FORTY-NINTH DAY, Monday, April 1, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Has not God turned the wisdom of this world into foolishness?" (1 Cor. 1:20)

Our popular culture celebrates April Fool's Day today. Paul the Apostle tells us to be fools for the sake of (the faith). All of us must take a stand, God of Wisdom, from time to time for the right and the true and the just which makes us look foolish to those who do not understand that higher wisdom. Then there are times when we do something that is foolish by common sense standards and we need the higher wisdom for a correction in the course we have taken. We appreciate wise mentors who help us in those times. Today we make a special mention of family members who concern us, especially those who have strayed from the path of wisdom, or the teenagers who may be testing every ounce of our own tolerance and keep us wondering if they will ever get wisdom. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: John Behrens, Jim Bono, Erica Chaney, Ann Malone, Michaela O'Leary Meckel and Hilary O'Leary Meckel.

The Journal of the forty-eighth day was approved as corrected.

RESOLUTIONS

Representative Gaw offered House Resolution No. 594, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Tate offered House Resolution No. 595, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution No. 596, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 597, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ostmann offered House Resolution No. 598, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 599, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution No. 600.

Representative Gaw offered House Resolution Nos. 601 through 603, which were referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1638 and **HB 1640** were read the second time.

SECOND READING OF SENATE BILL

SB 868 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 985**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1466 and HB 1554 (CONSENT)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HCS HB 1020, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **HCS HB 1020** was adopted.

On motion of Representative Lakin, **HCS HB 1020** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HB 1368, **with House Substitute, pending,** relating to unemployment compensation, was again taken up by Representative May (108).

Representative Pryor offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1368, Page 1, In the Title, Line 4, by inserting before the number "288.380" the number "288.040,"; and

Further amend said bill, Page 1, In the Title, Line 9, by deleting the word "seventeen" and inserting in lieu thereof the word "eighteen"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting before the number "288.380" the number "288.040,"; and

Further amend said bill, Page 1, Section A, Line 5, by deleting the word "seventeen" and inserting in lieu thereof the word "eighteen"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "288.036" the number "288.040,"; and

Further amend said bill, Page 2, Section 288.036, Line 16, by inserting after all of said line the following:

"288.040. 1. A claimant who is unemployed and has been determined to be an insured worker shall be eligible for benefits for any week only if the deputy finds that:

(1) He has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the division may prescribe;

(2) He is able to work and is available for work. No person shall be deemed available for work unless he has been and is actively and earnestly seeking work. Upon the filing of an initial or renewed claim, and prior to the filing of each weekly claim thereafter, the deputy shall notify each claimant of the number of work search contacts required to constitute an active search for work. No person shall be considered not available for work, under this subdivision, solely because he is a substitute teacher or is on jury duty. A claimant shall not be determined to be ineligible under this subdivision because of not actively and earnestly seeking work if:

(a) The claimant is participating in training approved under section 236 of the Trade Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended); or

(b) The claimant is temporarily unemployed through no fault of his own and has a definite recall date within eight weeks of his first day of unemployment; however, upon application of the employer responsible for the

claimant's unemployment, such eight-week period may be extended at the discretion of the director;

(3) He has reported in person to an office of the division as directed by the deputy, but at least once every four weeks, except that a claimant shall be exempted from the reporting requirement of this subdivision if:

(a) The claimant is claiming benefits in accordance with division regulations dealing with partial or temporary total unemployment; or

(b) The claimant is temporarily unemployed through no fault of his own and has a definite recall date within eight weeks of his first day of unemployment; or

(c) The claimant resides in a county with an unemployment rate, as published by the division, of ten percent or more and in which the county seat is more than forty miles from the nearest division office;

Ineligibility under this subdivision shall begin on the first day of the week which the claimant was scheduled to claim and shall end on the last day of the week preceding the week during which the claimant does report in person to the division's office;

(4) Prior to the first week of a period of total or partial unemployment for which he claims benefits he has been totally or partially unemployed for a waiting period of one week. No more than one waiting week will be required in any benefit year. The one-week waiting period shall become compensable after unemployment during which benefits are payable for nine consecutive weeks. No week shall be counted as a week of total or partial unemployment for the purposes of this subsection unless it occurs within the benefit year which includes the week with respect to which he claims benefits;

(5) He has made a claim for benefits;

(6) The claimant is participating in reemployment services, such as job search assistance services, as directed by the deputy if the claimant has been determined to be likely to exhaust regular benefits and to need reemployment services pursuant to a profiling system established by the division, unless the deputy determines that:

(a) The individual has completed such reemployment services; or

(b) There is justifiable cause for the claimant's failure to participate in such reemployment services.

2. A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds he is or has been suspended by his most recent employer for misconduct connected with his work.

3. (1) Benefits based on "service in employment", defined in subsections 7 and 8 of section 288.034, shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this law; except that:

(a) With respect to service performed in an instructional, research, or principal administrative capacity for an educational institution, benefits shall not be paid based on such services for any week of unemployment commencing during the period between two successive academic years or terms, or during a similar period between two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years (or terms) and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms;

(b) With respect to services performed in any capacity (other than instructional, research, or principal administrative capacity) for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform such services in the second of such academic years or terms;

(c) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits shall not be paid on the basis of such services to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performed such services in the period immediately before such vacation period or holiday recess, and there is reasonable assurance that such individual will perform such services immediately following such vacation period or holiday recess;

(d) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits payable on the basis of services in any such capacity shall be denied as specified in paragraphs (a), (b), and (c) of this subdivision, to any individual who performed such services at an educational institution while in the employ of an educational service agency, and for this purpose the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(2) If compensation is denied for any week under paragraph (b) or (d) of subdivision (1) of this subsection, to any individual performing services at an educational institution in any capacity (other than instructional,

research or principal administrative capacity), and such individual was not offered an opportunity to perform such services for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of the compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of paragraph (b) or (d) of subdivision (1) of this subsection.

4. (1) A claimant shall be ineligible for waiting week credit, benefits or shared work benefits for any week for which he is receiving or has received remuneration exceeding his weekly benefit amount or shared work benefit amount in the form of:

(a) Compensation for temporary partial disability under the workers' compensation law of any state or under a similar law of the United States;

(b) A governmental or other pension, retirement or retired pay, annuity, or other similar periodic payment which is based on the previous work of such claimant to the extent that such payment is provided from funds provided by a base period or chargeable employer under a plan maintained or contributed to by such employer; but, except for such payments made under the Social Security Act or the Railroad Retirement Act of 1974 (or the corresponding provisions of prior law), the provisions of this paragraph shall not apply if the services performed for such employer by the claimant after the beginning of the base period (or remuneration for such services) do not affect eligibility for or increase the amount of such pension, retirement or retired pay, annuity or similar payment[.]**;**

(c) Wages in lieu of notice, terminal leave pay, severance pay, separation pay or dismissal payments, regardless of whether the remuneration is voluntary or required by policy or contract. Lump sum payments and periodic payments shall be prorated by weeks on the basis of the most recent weekly wage of the individual for a standard work week.

(2) If the remuneration referred to in this subsection is less than the benefits which would otherwise be due, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration, and, if such benefit is not a multiple of one dollar, such amount shall be lowered to the next multiple of one dollar.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, if a claimant has contributed in any way to the Social Security Act or the Railroad Retirement Act of 1974, or the corresponding provisions of prior law, no part of the payments received under such federal law shall be deductible from the amount of benefits received under this chapter.

5. A claimant shall be ineligible for waiting week credit or benefits for any week for which or a part of which he has received or is seeking unemployment benefits under an unemployment insurance law of another state or the United States; provided, that if it be finally determined that he is not entitled to such unemployment benefits, such ineligibility shall not apply.

6. (1) A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute in the factory, establishment or other premises in which he is or was last employed. In the event he secures other employment from which he is separated during the existence of the labor dispute, he must have obtained bona fide employment as a permanent employee for at least the major part of each of two weeks in such subsequent employment to terminate his ineligibility. If, in any case, separate branches of work which are commonly conducted as separate businesses at separate premises are conducted in separate departments of the same premises, each such department shall for the purposes of this subsection be deemed to be a separate factory, establishment or other premises. This subsection shall not apply if it is shown to the satisfaction of the deputy that:

(a) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(b) He does not belong to a grade or class of workers of which, immediately preceding the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute.

(2) "Stoppage of work" as used in this subsection means a substantial diminution of the activities, production or services at the establishment, plant, factory or premises of the employing unit.

7. On or after January 1, 1978, benefits shall not be paid to any individual on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two successive sport seasons (or similar periods) if such individual performed such services in the first of such seasons (or similar periods) and there is a reasonable assurance that such individual will perform such services in the later of such seasons (or similar periods).

8. Benefits shall not be payable on the basis of services performed by an alien, unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color

of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the Immigration and Nationality Act).

(1) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(2) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of his alien status shall be made except upon a preponderance of the evidence.".

On motion of Representative Pryor, House Amendment No. 2 was adopted.

Representative Burton offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Bill No. 1368, page 6, section 288.380, line 176, by adding new section #14:

14. Any recipient of unemployment compensation benefits who fails a voluntary drug test, for illegal drugs, offered by any Missouri employer shall be denied unemployment compensation benefits as outlined in current statute. A Missouri employer may notify the Director of the Department of Industrial Relations of any person failing a voluntary drug test who will notify the recipient of unemployment compensation benefits of his rights to protest the denial of continued claims. The department is to set out the types of drug test that will be approved by the division.

On motion of Representative Burton, House Amendment No. 3 was adopted.

On motion of Representative May (108), **HS HB 1368, as amended,** was adopted.

On motion of Representative May (108), **HS HB 1368, as amended,** was ordered perfected and printed.

HB 1113, relating to college level instruction, was taken up by Representative Stoll.

Representative Luetkenhaus offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1113, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal sections 173.250 and 313.835, RSMo 1994, relating to certain scholarship programs, and to enact seven new sections relating to the same subject."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 173.250 and 313.835, RSMo 1994, are repealed and seven new sections enacted in lieu thereof, to be known as sections 173.250, 313.835, 1, 2, 3, 4 and 5, to read as follows:

"173.250. 1. There is hereby established a "Higher Education Academic Scholarship Program" and any moneys appropriated by the general assembly for this program shall be used to provide scholarships for Missouri citizens to attend a Missouri college or university of their choice pursuant to the provisions of this section.

2. The definitions of terms set forth in section 173.205 shall be applicable to such terms as used in this section. The term "academic scholarship" means an amount of money paid by the state of Missouri to a qualified college or university student who has demonstrated superior academic achievement pursuant to the provisions of this section.

3. The coordinating board for higher education shall be the administrative agency for the implementation of the program established by this section, and shall:

(1) Promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section, including regulations for granting scholarship deferments;

(2) Prescribe the form and the time and method of awarding academic scholarships, and shall supervise the processing thereof; and

(3) Select qualified recipients to receive academic scholarships, make such awards of academic scholarships to qualified recipients and determine the manner and method of payment to the recipient.

4. A student shall be eligible for initial or renewed academic scholarship if he or she is in compliance with the eligibility requirements set forth in section 173.215 excluding the requirement of financial need and undergraduate status **and excluding the provisions of subdivision (6) of subsection 1 of section 173.215**, and in addition meets the following requirements:

(1) Initial academic scholarships shall be offered in the academic year immediately following graduation from high school to Missouri high school seniors whose composite scores on the American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the College Board are in the top three percent of all Missouri students taking those tests during the school year in which the scholarship recipients graduate from high school. In the freshman year of college, scholarship recipients are required to maintain status as a full-time student;

(2) Academic scholarships are renewable if the recipient remains in compliance with the applicable provisions of section 173.215 and the recipient makes satisfactory academic degree progress as a full-time student.

5. A student who is enrolled or has been accepted for enrollment as a postsecondary student at an approved private or public institution beginning with the fall, 1987, term and who meets the other eligibility requirements for an academic scholarship shall, within the limits of the funds appropriated and made available, be offered an academic scholarship in the amount of two thousand dollars for the first academic year of study, which scholarship shall be renewable in the amount of two thousand dollars annually for the second, third and fourth academic years or as long as the recipient is in compliance with the applicable eligibility requirements set forth in section 173.215 **except as provided in this section**, provided those years of study are continuous and the student continues to meet eligibility requirements for the scholarship; provided, however, if a recipient ceases all attendance at an approved public or private institution for the purpose of providing service to a nonprofit organization, a state or federal government agency or any branch of the armed forces of the United States, the recipient shall be eligible for a renewal scholarship upon return to any approved public or private institution, provided the recipient:

(1) Returns to full-time status within twenty-seven months;

(2) Provides verification in compliance with coordinating board for higher education rules that the service to the nonprofit organization was satisfactorily completed and was not compensated other than for expenses or that the service to the state or federal governmental agency or branch of the armed forces of the United States was satisfactorily completed; and

(3) Meets all other requirements established for eligibility to receive a renewal scholarship.

6. A recipient of academic scholarship awarded under this section may transfer from one approved Missouri public or private institution to another without losing eligibility for the scholarship. If a recipient of the scholarship at any time withdraws from an approved private or public institution so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees or other charges, the institution shall pay the portion of the refund attributable to the scholarship for that term to the coordinating board for higher education.

7. Other provisions of this section to the contrary notwithstanding, if a recipient has been awarded an initial academic scholarship pursuant to the provisions of this section but is unable to use the scholarship during the first academic year because of illness, disability, pregnancy or other medical need or if a recipient ceases all attendance at an approved public or private institution because of illness, disability, pregnancy or other medical need, the recipient shall be eligible for an initial or renewal scholarship upon enrollment in or return to any approved public or private institution, provided the recipient:

(1) Enrolls in or returns to full-time status within twenty-seven months;

(2) Provides verification in compliance with coordinating board for higher education rules of sufficient medical evidence documenting an illness, disability, pregnancy or other medical need of such person to require that that person will not be able to use the initial or renewal scholarship during the time period for which it was originally offered; and

(3) Meets all other requirements established for eligibility to receive an initial or a renewal scholarship.".

On motion of Representative Luetkenhaus, House Amendment No. 1 was adopted by the following vote:

AYES: 136

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Broach	Brown	Burton	Canuteson	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Daniel 42	Daniels 41	Davis	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27

Kissell	Klumb	Koller	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	May 108	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shields	Skaggs	Sombart	Steen
Stokan	Stoll	Summers	Surface	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 015

Bland	Boucher	Carter	Days	Farmer
Hagan-Harrell	Harlan	Lumpe	Oetting	Scheve
Shelton 57	Smith	Tate	Troupe	Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 010

Bonner	Bray	Copeland	Crump 152	Goward
Kreider	Mays 50	McBride	Thompson 37	Ward

VACANCY: 002

Representative Childers offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1113, page 2, section 313.835, line 38 by deleting the words "not less" and inserting in lieu thereof the words "no more"

On motion of Representative Childers, House Amendment No. 2 was adopted.

On motion of Representative Stoll, **HB 1113, as amended** was ordered perfected and printed.

HB 811, relating to anatomical gifts, was taken up by Representative Smith.

Representative Smith offered House Amendment No. 1.

Representative Richardson raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Lograsso offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 811, page 5, section 194.220, line 3 and 4 by deleting all of said lines and inserting in lieu thereof the following:

"death. If a gift is not revoked by the donor before death, the donee shall be authorized to accept the gift without obtaining the consent of any other person. Provided however, that the persons listed in subsection 2 below, in the order of priority stated, may revoke said gift at any time after the donor's death and prior to the time the gift is actually accepted by the donee."

Representative Lograsso moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 016

Davis	Evans	Hall	Hartzler 124	Hegeman
Hohulin	Kasten	Legan	Linton	Lograsso
Ridgeway	Robirds	Sallee	Scott	Shields

Wieland

NOES: 136

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Days	Donovan	Dougherty
Elliott	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	
Heckemeyer				
Hendrickson	Hoppe	Hosmer	Howerton	Jacob
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Levin	Liese	Long	Loudon	
Luetkenhaus				
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray
135				
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Ribaudo	
Richardson				
Rizzo	Ross	Scheve	Schilling	Schwab
Sears 1	Secrest	Sheldon 104	Shelton 57	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner	Copeland	Daniel 42	Edwards-Pavia	Goward
Hickey	Shear 83	Thompson 37	Ward	

VACANCY: 002

Representative Scott offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 811, page 5, section 194.220, lines 10 - 21 by deleting all of the new language and all of the brackets on said lines and further amend said bill, page 6, section 194.233, line 7, by deleting the words "or (6)" and inserting immediately before "(5)" the word "or" and on lines 10 and 11 by deleting the words "or (6)" and inserting immediately before "(5)" the word "or" and on lines 12 and 13 by deleting the number "7" from each of said lines and inserting in lieu thereof the number "6".

Representative Smith raised a point of order that House Amendment No. 2 is dilatory.

The Chair ruled the point of order not well taken.

Representative Scott moved that House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Smith, **HB 811** was ordered perfected and printed.

HB 962, relating to certificate of value, was taken up by Representative Lumpe.

Representative Bennett (15) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 962, page 1, section 137.776, by inserting after the number "**137.776.**" the number "**1.**"; and

Further amend said bill, page 1, section 137.766, line 10, by inserting after all of said line the following:

"**2. Notwithstanding any other provisions of sections 137.776 to 137.783, the provisions of sections 137.776 to**

137.783 shall apply only to counties where the governing body has approved by a majority vote of such body the adoption of the procedures set forth in sections 137.776 to 137.683.".

Representative Gratz offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1, page 1, line 11 from the top of said page by deleting the words "**such body**" and replacing with "**the people of such county**"

On motion of Representative Gratz, House Amendment No. 1 to House Amendment No. 1 was adopted by the following vote:

AYES: 097

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Broach	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Daniels 41	Dougherty	Edwards-Pavia	Elliott
Evans	Farnen	Fiebelman	Foster	Franklin
Froelker	Garnett	Gaskill	Graham	Gratz
Griesheimer	Gross	Hall	Hartzler 124	Heckemeyer
Hegeman	Hohulin	Hoppe	Howerton	Kelley 47
Kelly 27	Kissell	Koller	Leake	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	Mays 50
McBride	Mitchell	Montgomery	Murray 135	Naeger
Nordwald	Oetting	Overschmidt	Pauley	Pouche
Prost	Pryor	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Summers
Surface	Thomason 163	Treadway	Troupe	Vogel
Wannenmacher	Whiteside	Wieland	Williams 121	Williams 159
Witt	Wooten			

NOES: 053

Auer	Backer	Bland	Boucher	Bray
Canuteson	Carter	Clayton	Crump 152	Davis
Days	Donovan	Enz	Farmer	Fitzwater
Foley	Gibbons	Green	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 123	Hendrickson	Hickey
Hosmer	Kasten	Kauffman	Keeven	Klumb
Kreider	Lakin	Liese	Lumpe	May 108
McClelland	McLuckie	Morgan	Murphy	Murray 69
O'Connor	O'Neill	O'Toole	Ostmann	Reynolds
Scheve	Schilling	Stokan	Tate	Thompson 37
Van Zandt	Wiggins	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner	Brown	Copeland	Daniel 42	Ford
Goward	Jacob	Ribaudo	Shear 83	Stoll

Ward

VACANCY: 002

On motion of Representative Bennett (15), House Amendment No. 1, as amended, was adopted by the following vote:

AYES: 141

Alter	Backer	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Bland	Boatright	Boucher
Bray	Broach	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton

Cooper	Crum 112	Daniels 41	Davis	Days
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Harlan
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 007

Akin	Auer	Crump 152	Donovan	Hand
Hartzler 123	Linton			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bonner	Brown	Copeland	Daniel 42	Ford
Goward	Jacob	Mays 50	Ribaudo	Shear 83
Troupe	Ward	Witt		

VACANCY: 002

Representative Linton offered House Amendment No. 2

House Amendment No. 2

AMEND House Bill No. 962, page 4, section 137.783, line 5 by inserting after said line, the following :

"Section 1. It shall be unlawful for any county in this state to adopt the provisions of this act until this act becomes law" and

Further amend the title and enacting clause accordingly.

On motion of Representative Linton, House Amendment No. 2 was adopted by the following vote:

AYES: 090

Akin	Alter	Auer	Ballard	Barnett 4
Barry	Bartelsmeyer	Boatright	Broach	Burton
Champion	Childers	Cierpiot	Cooper	Crum 112
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Foley	Foster	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Hall	Hand	Hartzler 124	Hegeman	Hickey
Hohulin	Howerton	Kasten	Kauffman	Kelley 47
Koller	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Marble
Marshall 26	Marshall 133	McBride	McClelland	Mitchell
Murphy	Murray 135	Naeger	Nordwald	O'Connor
Oetting	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Secrest	Sheldon 104	Shields	Sombart	Steen
Summers	Surface	Thomason 163	Treadway	Troupe

Vogel	Wannenmacher	Whiteside	Wieland	Williams 159

NOES: 062

Backer	Bennett 15	Bland	Boucher	Bray
Canuteson	Carter	Chrismer	Clayton	Crump 152
Daniel 42	Daniels 41	Davis	Days	Dougherty
Farmer	Farnen	Fitzwater	Franklin	Froelker
Gross	Gunn	Hagan-Harrell	Harlan	Hartzler 123
Heckemeyer	Hendrickson	Hoppe	Hosmer	Jacob
Keeven	Kelly 27	Kissell	Klumb	Kreider
Lakin	Luetkenhaus	Lumpe	May 108	Mays 50
McLuckie	Montgomery	Morgan	Murray 69	O'Neill
O'Toole	Ostmann	Reynolds	Schilling	Sears 1
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Van Zandt	Wiggins	Williams 121	Witt
Wooten	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner	Brown	Copeland	Ford	Goward
Ribaudo	Shear 83	Thompson 37	Ward	

VACANCY: 002

HB 962, as amended, was placed on the Informal Calendar.

REFERRAL OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were referred to the Committee indicated:

HJR 59 - Ways and Means

HJR 60 - Ways and Means

HJR 61 - Education - Elementary and Secondary

HJR 62 - Elections

HJR 63 - Judiciary and Ethics

HJR 64 - Retirement

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1632 - Elections

HB 1633 - Social Services, Medicaid and the Elderly

HB 1634 - Social Services, Medicaid and the Elderly

HB 1635 - Governmental Organization and Review

HB 1636 - Transportation

HB 1637 - Children, Youth and Families

HB 1638 - Civil and Criminal Law

HB 1639 - Consumer Protection

HB 1640 - Ways and Means

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 20 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 634 - Judiciary and Ethics

SB 703 - Public Health and Safety

SS SCS SB 722 - Science, Technology and Critical Issues

SB 740 - Miscellaneous Bills and Resolutions

SS SCS SB 795, 542 and 563 - Education - Elementary and Secondary

SB 802 - Fees and Salaries

SB 854 - Energy and Environment

SB 868 - Workers Compensation and Employment Security

SB 888 - Ways and Means

SB 952 - Budget

COMMITTEE REPORT

Committee on State Parks, Recreation and Natural Resources, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Recreation and Natural Resources, to which was referred **HB 777**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No.1

AMEND House Bill No. 777, Page 2, Section 2, Line 9, by inserting immediately after the words "**Missouri recreational trails fund.**" the following: "**The amount transferred annually shall not exceed one million dollars.**" ; and

Further amend said bill, Page 2, Section 4, Line 26, by deleting the symbol "**.**" and inserting in lieu thereof the following:

"**;**

(3) Acquisition of fee simple title to property by private individuals and organizations." ; and

Further amend said bill, Page 3, Section 5, Line 18, by deleting the word "**board**" and inserting in lieu thereof the word "**department**" ; and

Further amend said bill, Page 3, Section 7, Lines 3 and 4, by deleting the words "**fifteen members; seven voting members and seven alternates**" and inserting in lieu thereof the following: "**eight voting members**" ; and

Further amend said bill, Page 3, Section 7, Line 6, be deleting the word "**Representatives**" and inserting in lieu thereof the following: "**One representative from each**" ; and

Further amend said bill, Page 3, Section 7, Line 13, by deleting the word "**and**" ; and

Further amend said bill, Page 3, Section 7, Line 14, by deleting the symbol "**.**" and inserting in lieu thereof the following:

"**; and**

(8) Landowners." ; and

Further amend said bill, Page 4, Section 7, Line 16, by deleting the word "**four**" and inserting in lieu thereof the word "**two**" ; and

Further amend said bill, Page 4, Section 7, Line 17, by deleting all of said line and inserting in lieu thereof the following: "**for a term of one year, three appointees will serve a term of two years, and three appointees**" ; and

Further amend said bill, Page 4, Section 7, Line 30, by inserting immediately after all of said line the following:

"**Section 8. The annual transfer of monies to the Missouri recreational trails fund pursuant to section 2 of this act shall cease on June 30, 2001. Monies remaining in the fund after June 30, 2001, may continue to be allocated pursuant to sections 1 to 7 of this act**."

The following member's presence was noted: Ward.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, April 2, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Seventh Day, Wednesday, March 27, 1996, pages 13 and 14, roll call, by showing Representative Loudon voting "aye" rather than "absent with leave".

Page 14, roll call, by showing Representative Lodon voting "aye" rather than "absent with leave".

Correct House Journal, Forty-Eighth Day, Thursday, March 28, 1996, page 2, line 10 by deleting the name "Farmer" and inserting in lieu thereof "Farnen".

Page 3, roll call, by showing Representatives Akin and Luetkenhaus voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representative Robirds voting "no" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Chrismer and Heckemeyer voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 3, 1996, 1:45 pm. Hearing Room 9. Executive session.

Corrected Notice.

To be considered - SB 683

BUDGET

Tuesday, April 2, 1996. Hearing Room 9 upon morning adjournment.

Executive session on previously heard bills.

CIVIL AND CRIMINAL LAW

Tuesday, April 2, 1996, 8:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HB 1638, SB 842, SB 850, SB 835, SB 527

COMMERCE

Wednesday, April 3, 1996, 9:00 am. Hearing Room 5. Executive session may follow.

To be considered - HCR 10, SB 662

CONSUMER PROTECTION

Tuesday, April 2, 1996, 9:45 am. Side gallery.

To be considered - Executive Session - HB 1615, SB 589, SB 613, SB 630

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 2, 1996, 8:30 am. Hearing Rooms 1 & 2.

To be considered - HB 1603, HB 1618, HB 1555, SB 572

EDUCATION - HIGHER

Wednesday, April 3, 1996. Side gallery upon morning adjournment.

Executive session.

ELECTIONS

Tuesday, April 2, 1996, 9:00 am. Hearing Room 7

To be considered - Executive Session - SB 598

INSURANCE

Tuesday, April 2, 1996, 8:00 am. Hearing Room 8

To be considered - HB 1547, SB 664, SB 883

JUDICIARY AND ETHICS

Tuesday, April 2, 1996. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - HB 1609, HB 1197, HB 1417, SB 668

LABOR

Tuesday, April 2, 1996, 8:00 pm. Hearing Room 8

To be considered - HB 1347, SB 565

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 2, 1996. Hearing Room 8 upon morning adjournment.

Executive session may follow.

To be considered - HB 1631, SJR 29, SB 497, SB 676, SB 914, SB 806

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 3, 1996, 8:30 am. Hearing Room 7

To be considered - HR 484, SB 837

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 2, 1996, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 758, SB 530, HB 1546

MUNICIPAL CORPORATIONS

Wednesday, April 3, 1996. Hearing Room 7 upon morning adjournment.

Executive session.

PUBLIC HEALTH AND SAFETY

Tuesday, April 2, 1996, 1:00 pm. Hearing Rooms 3 & 4. Executive session to follow.

To be considered - SB 726

RETIREMENT

Wednesday, April 3, 1996, 8:30 pm. Hearing Room 2. Executive session may follow. Amended Notice

To be considered - SB 860, SB 900, HJR 64

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, April 2, 1996, 8:00 pm. Hearing Room 5

To be considered - HB 1599, HR 364, SB 727, SB 643, SJR 32

SUBCOMMITTEE ON LEGISLATIVE RESEARCH/OVERSIGHT

Wednesday, April 3, 1996, 9:45 a.m., Hearing Room 2

To be considered - SB 868, HB 1377. Executive Session on previously heard bills.

TOURISM, RECREATION AND CULTURAL AFFAIRS

Tuesday, April 2, 1996. Side gallery upon morning adjournment. Executive session.

To be considered - SB 715, SB 846

Forty-ninth Day-Monday, April 1, 1996

TRANSPORTATION

Wednesday, April 3, 1996. Hearing Room 5 upon morning adjournment.

Executive session to follow.

To be considered - HB 1595, HB 1623

WAYS AND MEANS

Tuesday, April 2, 1996. Hearing Rooms 1 & 2 upon morning adjournment.

Executive session.

To be considered - HB 1582

HOUSE CALENDAR

FIFTIETH DAY, TUESDAY APRIL 2, 1996

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

HJR 57 - Scheve

HJR 49 - Tate

HJR 58 - Lumpe

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HB 1361, HCA 1, Gibbons - Treadway
3 HCS HB 1372 - Mays (50)
4 HCS HB 1174 & 1309 - May (108)
5 HCS HB 1159, 842 & 799 - Jacob
6 HB 908, HCA 1 Thomason (163) - Ross
7 HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor
8 HB 852, HCA 1 - Canuteson
9 HCS HB 999 - Treadway
10 HCS HB 1186 - Hoppe
11 HCS HB 1237 - Rizzo
12 HB 1241 - Witt
13 HCS HB 1185 - McClelland
14 HB 839 - Luetkenhaus
15 HB 1411 - Loudon
16 HCS HB 1149, 1150 & 1240 - Jacob
17 HCS HB 894 - Bray
18 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
19 HB 1380 - Lumpe
20 HCS HB 1557 & 1489 - Days
21 HCS HB 987, 1155, 1158 & 1219 - Jacob
22 HCS HB 1403 - Dougherty
23 HB 1247 - Shelton (57)
24 HCS HB 1588 - Overschmidt
25 HB 944, HCA 1 - Smith
26 HB 1154 - Murray (69)
27 HCS HB 1540 - Green
28 HB 993 - Williams (121)
29 HB 854 - Bland
30 HB 1312 - Tate
31 HCS HB 843 - Daniels (41)
32 HB 1133 - Witt
33 HB 855 - Bland
34 HCS HB 830 & 1082 - Carter
35 HB 1228, HCA 1 - Harlan
36 HB 1279 - Tate
37 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
38 HCS HB 829 & 1254 - May (108)
39 HB 1414, HCA 1 - Smith
40 HCS HB 960 - Rizzo
41 HB 1436, HCA 1 - Dougherty
42 HB 1399, HCA 1 - Leake
43 HCS HB 1112 - Koller
44 HCS HB 1204 - Wiggins
45 HB 816, HCA 1 - Backer
46 HCS HB 961 - Boucher
47 HB 1535 - Kissell
48 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
49 HCS HB 1429 - Liese
50 HCS HB 1143 - Witt
51 HB 856, HCA 1 - Bland

52 HB 1310 - Tate
53 HCS HB 1175, 1120 & 797 - Gratz
54 HCS HB 912 & 1108 - Treadway
55 HB 1579, HCA 1 - Skaggs
56 HB 1562 - Witt
57 HCS HB 1374 - Scheve
58 HB 801, HCA 1 - Schilling
59 HB 1443, HCA 1, HCA 1 - Prost
60 HB 1289 - Liese
61 HCS HB 1278 & 1277 - May (108)
62 HB 1590, HCA 1 - Harlan
63 HB 1145 - Shear (83)
64 HCS HB 1115 - Montgomery
65 HCS HB 1206 & 1484 - Hosmer
66 HB 1575 - Loudon
67 HB 1180 - Williams (159)
68 HB 1080, HCA 1 - Troupe
69 HCS HB 1430 & 1165 - Hosmer
70 HCS HB 1000 - Treadway
71 HCS HB 840 & 841 - Luetkenhaus
72 HB 833, HCA 1 - Dougherty
73 HCS HB 1465 - Hoppe
74 HB 1245 - Farmer
75 HCS HB 867, 893 & 1401 - Morgan
76 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacobs

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HOUSE BILLS FOR PERFECTION - FEDERAL MANDATE

HB 876 - Bray

HB 1506 - O'Neill

HOUSE BILLS FOR PERFECTION - CONSENT

(March 27, 1996)

HB 1050 - Witt

HB 1598 - Hosmer

(April 1, 1996)

HB 1156 - Scheve

HB 1086 - Fiebelman

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HCS HB 1020 - Lakin

HOUSE BILLS FOR THIRD READING

1 HCS HB 800, 812, 817 & 821, (Budget Fiscal 3-4-96) - Hosmer
2 HB 1377, (Budget Fiscal 3-4-96) - Bland
3 HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole
4 HB 782, (Budget Fiscal 3-20-96) - Stokan
5 HS HCS HB 1169 & 1271, (Budget Fiscal 3-25-96) - Williams (121)
6 HS HCS HB 1301 & 1298, (Budget Fiscal 3-25-96) - McLuckie
7 HS HB 832, (Budget Fiscal 3-26-96) - Montgomery
8 HS HCS HB 1207, 1288, 1408 & 1409, E.C. (Budget Fiscal 3-28-96) - Tate
9 HB 985 - Franklin

Forty-ninth Day-Monday, April 1, 1996

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1554 - Richardson

HB 1466 - Rizzo

HB 1419 - Backer

HB 1604 - Burton

HB 1601 - Backer

HB 1610 - Farnen

BILL IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

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House Journal

Second Regular Session, 88th General Assembly

FIFTIETH DAY, Tuesday, April 2, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"I delight in the law of God." (Rom. 7:22).

Today we go to the polls. We pray for the health of democracy and for the cure of the growing disease of those who are dissenting from the norms of the Republic and who are selectively editing the Bible, the Constitution and the Bill of Rights to create a sectarian and racist society and threaten the rule of law by taking it into their own hands with guns and their version of morality against legitimate law enforcement officials.

We acknowledge gracious God, that we ourselves in positions of authority sometimes contribute to this atmosphere by playing games and manipulating the system and undermining the rule of law by not being fair, just and consistent in how the law is applied with liberty and justice for all. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kim Kestler, Sarah Kimmel, Kim Gleich, Christina Woodsin, Stephanie Clubb, Amy Schroeder, Meredith Larson, Stephanie Majkowski, Patrick O'Brien, Lauren Stahlhuth, Adam Eldin, Benjamin Young, William Young, Alex Anderson, Molly Anderson, Sarah Moore and Hanna Coller.

The Journal of the forty-ninth day was approved as corrected.

RESOLUTIONS

Representative Fitzwater offered House Resolution Nos. 604 and 605, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fiebelman offered House Resolution Nos. 606 and 607, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1020**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1610, HB 1419, HB 1604 and HB 1601 (CONSENT)**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 1020, relating to appropriations, was taken up by Representative Lakin.

On motion of Representative Lakin, **HCS HB 1020** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner	Copeland	Daniel 42	Ford	Green
Ribaudo	Schilling	Thompson 37		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Farmer, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Ward moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1554, relating to small claims court, was taken up by Representative Richardson.

On motion of Representative Richardson, **HB 1554** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers

Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 002

Gunn	Harlan

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner	Copeland	Daniel 42	Davis	Ford
Gratz	Ribaudo	Thompson 37		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

HB 1466, relating to sales/use tax, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HB 1466** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall

26				
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bonner	Copeland	Daniel 42	Ford	Ribaudo

Thompson 37

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Garnett moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HB 1419, relating to conveyance of property, was taken up by Representative Backer.

On motion of Representative Backer, **HB 1419** was read the third time and passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37

Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Bonner	Copeland	Daniel 42	Edwards-Pavia	Ford
Ribaudo	Secrest			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Smith, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

HB 1604, relating to conveyance of property, was taken up by Representative Burton.

On motion of Representative Burton, **HB 1604** was read the third time and passed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner	Copeland	Daniel 42	Ford	Ribaudo

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Prost moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

The Speaker assumed the Chair.

HB 1601, relating to conveyance of property, was taken up by Representative Backer.

On motion of Representative Backer, **HB 1601** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Bonner	Copeland	Daniel 42	Ford	Ribaudo

Thompson 37

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative O'Neill moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

HB 1610, relating to venison donation, was taken up by Representative Farnen.

On motion of Representative Farnen, **HB 1610** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner	Copeland	Daniel 42	Daniels 41	Ford
Ribaudo	Robirds	Thompson 37		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL

HB 985, relating to official language, was taken up by Representative Franklin.

On motion of Representative Franklin, **HB 985** was read the third time and passed by the following vote:

AYES: 135

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Broach
Brown	Burton	Canuteson	Champion	Childers

Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 020

Auer	Bland	Boucher	Bray	Carter
Days	Dougherty	Farmer	Gunn	Kauffman
Lumpe	McLuckie	Reynolds	Rizzo	Schilling
Stokan	Thompson 37	Troupe	Van Zandt	Witt

PRESENT: 001

Goward

Fiftieth Day-Tuesday, April 2, 1996

ABSENT WITH LEAVE: 005

Bonner	Copeland	Daniel 42	Ford	Ribaudo

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS - FEDERAL MANDATE

HB 876, relating to light rail, was taken up by Representative Bray.

Representative Scheve assumed the Chair.

On motion of Representative Bray, **HB 876** was ordered perfected and printed.

HB 1506, relating to watercraft regulations, was taken up by Representative O'Neill.

Representative O'Neill offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 1506, Page 4, Section 306.100, Line 66, by deleting the word "**Sailboats**" and inserting in lieu thereof "**Sailboards**".

On motion of Representative O'Neill, House Amendment No. 1 was adopted.

On motion of Representative O'Neill, **HB 1506, as amended,** was ordered perfected and printed.

PERFECTION OF HOUSE BILL

HB 1361, with House Committee Amendment No. 1, relating to judges' retirement, was taken up by Representative Gibbons.

On motion of Representative Gibbons, House Committee Amendment No. 1 was adopted.

The Speaker resumed the Chair.

Representative Shields made a privileged motion that **HB 1361, as amended,** be recommitted to committee pursuant to Rule 73.

Which motion was defeated by the following vote:

AYES: 022

Boatright	Boucher	Bray	Champion	Childers
Gaskill	Hohulin	Hoppe	Long	Murray
135				
Oetting	Pouche	Robirds	Ross	Sallee
Schilling	Scott	Sheldon 104	Shields	Sombart
Steen	Whiteside			

NOES: 127

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bennett 15	Bland	Broach
Brown	Burton	Canuteson	Carter	Chrismer
Cierpiot	Clayton	Cooper	Crum 112	Daniels
41				
Davis	Days	Donovan	Dougherty	Edwards-
Pavia				
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler
123				
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Loudon	
Luetkenhaus				
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Neill	Ostmann	
Overschmidt				
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Scheve	Schwab	Sears 1	Secrest	Shear 83
Shelton 57	Skaggs	Smith	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

PRESENT: 001

Lograsso

ABSENT WITH LEAVE: 011

Bartelsmeyer	Bonner	Copeland	Crump 152	Daniel 42
Ford	O'Toole	Pauley	Prost	Ribaudo

Stokan

VACANCY: 002

On motion of Representative Gibbons, **HB 1361, as amended,** was ordered perfected and printed

by the following vote:

AYES: 119

Akin	Alter	Auer	Backer	Barnett 4

Barry	Bennett 15	Bland	Boucher	Bray
Broach	Burton	Canuteson	Carter	Chrismer
Cierpiot	Crum 112	Crump 152	Daniels 41	Davis
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hickey	Hosmer	Howerton	Jacob
Kasten	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Levin	Liese	Lograsso	Loudon	Luetkenhaus
Marshall 26	Marshall 133	May 108	McBride	McClelland
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Naeger	Nordwald	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Sallee	Scheve	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Skaggs
Smith	Steen	Stokan	Stoll	Summers
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Vogel	Wannenmacher	Ward	Wieland	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 030

Ballard	Bartelsmeyer	Boatright	Champion	Childers
Days	Gaskill	Hartzler 124	Hohulin	Hoppe
Kauffman	Legan	Linton	Long	Lumpe
Marble	Mays 50	Murray 135	Pouche	Robirds
Ross	Schilling	Scott	Shelton 57	Shields
Sombart	Surface	Van Zandt	Whiteside	Wooten

PRESENT: 001

Clayton

ABSENT WITH LEAVE: 011

Bonner	Brown	Cooper	Copeland	Daniel 42
Ford	McLuckie	O'Connor	Pauley	Prost

Ribaudo

VACANCY: 002

Representative Shelton (57) made a privileged motion that **HB 1361, as amended**, be referred to Budget.

Which motion was defeated by the following vote:

AYES: 065

Akin	Alter	Backer	Ballard	Bartelsmeyer
Boatright	Bray	Brown	Burton	Champion
Childers	Cooper	Crum 112	Days	Edwards-Pavia
Farmer	Foster	Froelker	Gaskill	Graham
Gratz	Green	Hall	Hartzler 124	Hegeman
Hohulin	Hoppe	Howerton	Kauffman	Kelley 47
Kreider	Lakin	Legan	Linton	Long
Lumpe	Marble	Mays 50	Morgan	Murray 135
Naeger	Oetting	Pouche	Pryor	Robirds
Ross	Sallee	Schilling	Scott	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Sombart
Steen	Stoll	Surface	Troupe	Van Zandt
Whiteside	Wieland	Wiggins	Williams 159	Wooten

NOES: 087

Auer	Barnett 4	Barry	Bennett 15	Bland
Boucher	Broach	Canuteson	Carter	Chrismer
Cierpiot	Clayton	Crump 152	Daniels 41	Davis
Donovan	Dougherty	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Franklin

Garnett	Gibbons	Goward	Griesheimer	Gross
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler
123				
Heckemeyer	Hendrickson	Hickey	Hosmer	Jacob
Kasten	Keeven	Kelly 27	Kissell	Klumb
Koller	Leake	Levin	Liese	Lograsso
Loudon	Luetkenhaus	Marshall 26	Marshall 133	May 108
McBride	McClelland	Mitchell	Montgomery	Murphy
Murray 69	Nordwald	O'Connor	O'Neill	Ostmann
Overschmidt	Reynolds	Richardson	Ridgeway	Rizzo
Scheve	Schwab	Sears 1	Secrest	Smith
Stokan	Summers	Tate	Thomason 163	Thompson
37				
Treadway	Vogel	Wannenmacher	Ward	Williams
121				
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner	Copeland	Daniel 42	Ford	McLuckie
O'Toole	Pauley	Prost	Ribaudo	

VACANCY: 002

RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

HB 1634 - Professional Registration and Licensing

On motion of Representative Backer the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

RESOLUTIONS

Representative Enz offered House Resolution No. 608, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Enz and Murphy offered House Resolution Nos. 609 through 616, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution Nos. 617 through 619, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Enz and Murphy offered House Resolution Nos. 620 through 624, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 832 (FISCAL NOTE)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 1301 & 1298 (FISCAL NOTE)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1619**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **HB 1036**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 811 and HB 1113**, begs leave to report it has examined the same and finds them to be truly perfected and that the

printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILLS

HCS HB 1372, relating to utilicare, was taken up by Representative Mays (50).

Representative Mays (50) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1372, Page 2, Section 447.543, Lines 25 through 27 by deleting all of said lines and inserting in lieu thereof the following:

"the treasurer. [At any time when the balance of the account exceeds fifty thousand dollars,] The treasurer may, and at least once every fiscal year shall, transfer [to the general revenue of the state of Missouri,] **fifty percent of that portion** of the **then total** balance of the abandoned fund account which".

On motion of Representative Mays (50), House Amendment No. 1 was adopted.

Representative Bland offered House Amendment No. 2.

Representative Mays (50) raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Childers offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Smith assumed the Chair.

Representative Keeven offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1372, Page 3, Section 660.100, Line 14, by striking the word "fifty" and Section 660.105, Line 4, by striking the word "fifty".

Representative Keeven moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 059

Alter	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Broach	Brown	Champion	Chrismer
Cierpiot	Daniels 41	Enz	Evans	Froelker
Gaskill	Gibbons	Graham	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Lumpe	Marble	Marshall 133	Murphy	Murray 135
Naeger	Nordwald	Oetting	Ostmann	Pouche
Pryor	Richardson	Ridgeway	Robirds	Sallee
Schwab	Secrest	Sombart	Steen	Summers
Vogel	Wannenmacher	Whiteside	Wieland	

NOES: 085

Akin	Auer	Backer	Barry	Bland
Boucher	Bray	Burton	Canuteson	Childers
Clayton	Cooper	Crum 112	Crump 152	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Garnett	Gratz	Griesheimer
Hagan-Harrell	Harlan	Heckemeyer	Hegeman	Hickey
Hoppe	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Liese
Luetkenhaus	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	O'Connor	O'Toole	Overschmidt	Pauley
Prost	Ross	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs

Smith	Stokan	Stoll	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 016

Bonner	Carter	Copeland	Daniel 42	Ford
Goward	Green	Gunn	Leake	O'Neill
Reynolds	Ribaudo	Rizzo	Scott	Troupe

Ward

VACANCY: 002

Representative Montgomery offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 1372, Page 4, Section 660.130, Line 9, by inserting after the word "services," the following:

"**Such rules shall also provide for a system of crediting and debiting accounts for eligible households with utility companies when the recipient of the assistance moves to a different location within or out of the state.**".

On motion of Representative Montgomery, House Amendment No. 3 was adopted.

Representative Oetting offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 1372, Page 3, Section 660.105, Line 4, by inserting after the word "percent" the words "**for a household with two or less persons or one hundred twenty-five percent for households with three or more persons**"

On motion of Representative Oetting, House Amendment No. 4 was adopted by the following vote:

AYES: 084

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Edwards-Pavia	Elliott	Enz	Evans	Fiebelman
Foster	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Hegeman	Hohulin
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Koller	Kreider	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 133	McClelland	Mitchell	Montgomery
Murphy	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Overschmidt	Pouche	Pryor	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Secrest	Shields	Sombart	Steen	Summers
Surface	Tate	Treadway	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 159	

NOES: 063

Auer	Backer	Barry	Bland	Boucher
Canuteson	Carter	Clayton	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Farmer	Farnen	Fitzwater	Foley	Franklin
Goward	Green	Hagan-Harrell	Harlan	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kelly 27
Kissell	Klumb	Leake	Liese	Marshall 26
May 108	Mays 50	McBride	McLuckie	Morgan
Murray 69	O'Connor	O'Toole	Pauley	Prost

Rizzo	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Stokan
Stoll	Thomason 163	Thompson 37	Van Zandt	Williams 121
Witt	Wooten	Mr. Speaker		

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 013

Bonner	Bray	Copeland	Daniel 42	Ford
Gunn	Lakin	O'Neill	Reynolds	Ribaudo
Scott	Troupe	Ward		

VACANCY: 002

Representative Froelker offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bill No. 1372, Page 4, Section B, Line 2, by deleting Section "B"

On motion of Representative Froelker, House Amendment No. 5 was adopted.

On motion of Representative Mays (50), **HCS HB 1372, as amended,** was adopted.

On motion of Representative Mays (50), **HCS HB 1372, as amended,** was ordered perfected and printed by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Kreider	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Hall

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 015

Bonner	Copeland	Crump 152	Daniel 42	Ford
Gunn	Koller	Lakin	Loudon	O'Neill
Reynolds	Ribaudo	Scott	Troupe	Ward

VACANCY: 002

HCS HBs 1159, 842 and 799, relating to bingo, was taken up by Representative Scheve.

Representative Tate offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 1159, 842, and 799; page 8; section 1; by striking all of said section and inserting a new section, as follows:

"Section 1. Any organization licensed to conduct bingo games pursuant to sections 313.005 to 313.085 may also conduct progressive bingo games as defined by this section. A progressive bingo game may include, but shall not be limited to, any coverall or blackout game or other game where a stated quantity of numbers are called and, if no winner occurs, prizes are added to the next session's game conducted by that charity."

On motion of Representative Tate, House Amendment No. 1 was adopted.

Representative Gratz offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bills Nos. 1159, 842 and 799, Page 1, Section 313.010, Line 13, by deleting the words "one occasion" and inserting in lieu thereof, the words "four occasions".

On motion of Representative Gratz, House Amendment No. 2 was adopted by the following vote:

AYES: 117

Alter	Auer	Backer	Barnett 4	Barry
Bennett 15	Boucher	Brown	Burton	Canuteson
Chrismer	Cierpiot	Cooper	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Hartzler 123
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Kasten	Kauffman	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Luetkenhaus	Lumpe	Marshall 133	May 108	Mays 50
McBride	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Richardson
Ridgeway	Rizzo	Ross	Scheve	Schwab
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Sombart	Steen	Stokan	Stoll	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 029

Akin	Ballard	Bartelsmeyer	Boatright	Bray
Broach	Carter	Champion	Childers	Clayton
Harlan	Hartzler 124	Keeven	Kelley 47	Linton
Long	Loudon	Marble	Marshall 26	McClelland
Robirds	Sallee	Schilling	Shear 83	Skaggs
Smith	Summers	Wannenmacher	Whiteside	

PRESENT: 001

Bland

ABSENT WITH LEAVE: 014

Bonner	Copeland	Daniel 42	Ford	Gunn
Hoppe	Jacob	O'Neill	Reynolds	Ribaudo
Scott	Thompson 37	Troupe	Ward	

VACANCY: 002

Representative Surface offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill Nos. 1159, 842 and 799, Page 5, Line 91, by removing the word "five" and replacing with the word "two"

On motion of Representative Surface, House Amendment No. 3 was adopted.

On motion of Representative Scheve, **HCS HBs 1159, 842 and 799, as amended,** was adopted.

On motion of Representative Scheve, **HCS HBs 1159, 842 and 799, as amended,** was ordered perfected and printed by the following vote:

AYES: 102

Auer	Backer	Barry	Bennett 15	Bland
Boucher	Bray	Brown	Burton	Canuteson
Carter	Cierpiot	Clayton	Cooper	Crum 112
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Froelker	Garnett
Goward	Graham	Gratz	Green	Griesheimer
Hagan-Harrell	Hand	Harlan	Hartzler 123	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Lumpe	Marble	Marshall 133	May 108
Mays 50	McBride	McLuckie	Mitchell	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Ross
Scheve	Schwab	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Smith	Stoll	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 042

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Champion	Childers	Chrismer
Enz	Evans	Foster	Gaskill	Gibbons
Gross	Hall	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Keeven	Kelley 47	Klumb
Linton	Loudon	Luetkenhaus	Marshall 26	McClelland
Montgomery	Murphy	Robirds	Sallee	Schilling
Skaggs	Sombart	Steen	Stokan	Summers
Wannenmacher	Whiteside			

PRESENT: 000

ABSENT WITH LEAVE: 017

Bonner	Copeland	Crump 152	Daniel 42	Ford
Gunn	Long	O'Connor	O'Neill	Pauley
Reynolds	Ribaudo	Scott	Secrest	Thompson 37
Troupe	Ward			

VACANCY: 002

THIRD READING OF HOUSE BILLS

HS HCS HBs 1301 and 1298, relating to school safety, was taken up by Representative McLuckie.

On motion of Representative McLuckie, **HS HCS HBs 1301 and 1298** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Crum 112	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Bland

PRESENT: 000

ABSENT WITH LEAVE: 015

Bonner	Copeland	Crump 152	Daniel 42	Ford
Gunn	Liese	O'Neill	Pauley	Reynolds
Ribaudo	Scott	Thompson 37	Troupe	Ward

VACANCY: 002

Representative Smith declared the bill passed.

On motion of Representative Crum (112), title to the bill was agreed to.

Representative Farmer moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

HS HB 832, relating to veterans cemeteries, was taken up by Representative Montgomery.

On motion of Representative Montgomery, **HS HB 832** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Boucher
Bray	Broach	Brown	Burton	Canuteson

Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Auer

PRESENT: 000

ABSENT WITH LEAVE: 015

Barry	Bonner	Copeland	Crump 152	Daniel 42
Ford	Gunn	O'Neill	Pauley	Reynolds
Ribaudo	Scott	Thompson 37	Troupe	Ward

VACANCY: 002

Representative Smith declared the bill passed.

On motion of Representative May (108), title to the bill was agreed to.

Representative Mays (50) moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HB 908, with House Committee Amendment No. 1, relating to proof of insurance, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), House Committee Amendment No. 1 was adopted.

Representative Ross offered House Amendment No. 1.

House Amendment No. 1

AMEND House Bill No. 908, Page 3, Section 303.024, Line 53, by inserting immediately after "**stopped.**" the following:

"**This subsection shall not apply to any operator of a rented motor vehicle.**".

On motion of Representative Ross, House Amendment No. 1 was adopted.

Representative Marshall (133) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 908, page 2, section 303.024, line 46, by deleting the words "no fine shall be assessed"

and in inserting the following in lieu thereof:

"No penalty for a violation of this section shall be assessed or imposed"

On motion of Representative Marshall (133), House Amendment No. 2 was adopted.

Representative Harlan offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 908, page 9, section 379.203, line 1, by deleting the words "except as otherwise provided in this section" from said line; and

Further amend said bill, page 10, section 379.203, lines 18-21 by deleting all of said lines, and inserting in lieu thereof the following:

"this section."

On motion of Representative Harlan, House Amendment No. 3 was adopted.

Representative Hohulin offered House Amendment No. 4.

House Amendment No. 4

AMEND House Bill No. 908, Page 2, Section 303.024, Line 31, by inserting brackets around the word "immediately" and inserting in lieu thereof the following: "within 8 hours"

Representative Hohulin moved that House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Murray (135) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Bill No. 908, page 4, section 303.026.1 (4), line 16, by adding after the word "required" the following:

" **including the advisability of carrying underinsured motorist coverage.**"

On motion of Representative Murray (135), House Amendment No. 5 was adopted.

Representative Tate offered House Amendment No. 6

Representative Hall raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Naeger offered House Amendment No. 6.

House Amendment No. 6

AMEND House Bill No. 908, Page 3, Section 5, Line 53, by inserting after the word stopped.

All penalty provisions of this section shall be displayed in plain view and in large bold print in every fee office of this state.

On motion of Representative Naeger, House Amendment No. 6 was adopted.

On motion of Representative Thomason (163), **HB 908, as amended,** was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HB 1113 - Budget (Fiscal Note)

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1641, introduced by Representative Akin, relating to risk based capital reports of insurers.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 3, 1996 .

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Sixth Day, Tuesday, March 26, 1996, page 58, by inserting after line 3, the following:

SB 933 - Local Government and Related Matters

Correct House Journal, Forty-Ninth Day, Monday, April 1, 1996, page 8, roll call, by showing Representative Bray voting "no" rather than "absent with leave".

Pages 9 and 10, roll call, by showing Representative Hickey voting "no" rather than "absent with leave".

Page 2, Line 3, by deleting the word "and" and inserting in lieu thereof the word "through".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 3, 1996, 1:45 pm. Hearing Room 9. Executive session.

Corrected Notice.

To be considered - SB 683

BUDGET

Wednesday, April 3, 1996. Hearing Room 9 upon morning adjournment.

Executive session to follow.

To be considered - SB 952, HB 1113

COMMERCE

Wednesday, April 3, 1996, 9:00 am. Hearing Room 5. Executive session may follow.

To be considered - HCR 10, SB 662

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 4, 1996, 9:30 am. Side Gallery

To be considered - Executive Session - SB 605

EDUCATION - HIGHER

Wednesday, April 3, 1996. Side gallery upon morning adjournment.

Executive session.

ENERGY AND ENVIRONMENT

Thursday, April 4, 1996, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1629, SB 854

FEES AND SALARIES

Wednesday, April 10, 1996. Hearing Room 1 upon morning adjournment.

To be considered - SB 802

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 3, 1996, 8:30 am. Hearing Room 7. Executive session may follow. Amended Notice

To be considered - HR 484, SB 837, HCR 11, SCR 20, SB 740

MUNICIPAL CORPORATIONS

Wednesday, April 3, 1996. Hearing Room 7 upon morning adjournment.

Executive session.

PROFESSIONAL REGISTRATION & LICENSING

Thursday, April 4, 1996. Hearing Room 5 upon morning adjournment.

Executive session.

To be considered - HB 1634, SB 930

RETIREMENT

Wednesday, April 3, 1996, 8:30 pm. Hearing Room 2. Executive session may follow. Amended Notice

To be considered - SB 860, SB 900, HJR 64

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Wednesday, April 3, 1996, 9:45 am. Hearing Room 2. Executive session on previously heard bills.

To be considered - SB 868, HB 1377

TRANSPORTATION

Wednesday, April 3, 1996. Hearing Room 5 upon morning adjournment.

Executive session to follow.

To be considered - HB 1595, HB 1623

HOUSE CALENDAR

FIFTY-FIRST DAY, WEDNESDAY APRIL 3, 1996

HOUSE BILL FOR SECOND READING

HB 1641

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

HJR 57 - Scheve

HJR 49 - Tate

HJR 58 - Lumpe

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1174 & 1309 - May (108)
3 HCS HB 1320, 981,1042, 1109 & 1250 - O'Connor
4 HB 852, HCA 1 - Canuteson
5 HCS HB 999 - Treadway
6 HCS HB 1186 - Hoppe
7 HCS HB 1237 - Rizzo
8 HB 1241 - Witt
9 HCS HB 1185 - McClelland
10 HB 839 - Luetkenhaus
11 HB 1411 - Loudon
12 HCS HB 1149, 1150 & 1240 - Jacob
13 HCS HB 894 - Bray
14 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
15 HB 1380 - Lumpe
16 HCS HB 1557 & 1489 - Days
17 HCS HB 987, 1155, 1158 & 1219 - Jacob
18 HCS HB 1403 - Dougherty
19 HB 1247 - Shelton (57)
20 HCS HB 1588 - Overschmidt
21 HB 944, HCA 1 - Smith
22 HB 1154 - Murray (69)
23 HCS HB 1540 - Green
24 HB 993 - Williams (121)
25 HB 854 - Bland
26 HB 1312 - Tate
27 HCS HB 843 - Daniels (41)
28 HB 1133 - Witt
29 HB 855 - Bland
30 HCS HB 830 & 1082 - Carter
31 HB 1228, HCA 1 - Harlan
32 HB 1279 - Tate

33 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
34 HCS HB 829 & 1254 - May (108)
35 HB 1414, HCA 1 - Smith
36 HCS HB 960 - Rizzo
37 HB 1436, HCA 1 - Dougherty
38 HB 1399, HCA 1 - Leake
39 HCS HB 1112 - Koller
40 HCS HB 1204 - Wiggins
41 HB 816, HCA 1 - Backer
42 HCS HB 961 - Boucher
43 HB 1535 - Kissell
44 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
45 HCS HB 1429 - Liese
46 HCS HB 1143 - Witt
47 HB 856, HCA 1 - Bland
48 HB 1310 - Tate
49 HCS HB 1175, 1120 & 797 - Gratz
50 HCS HB 912 & 1108 - Treadway
51 HB 1579, HCA 1 - Skaggs
52 HB 1562 - Witt
53 HCS HB 1374 - Scheve
54 HB 801, HCA 1 - Schilling
55 HB 1443, HCA 1, HCA 1 - Prost
56 HB 1289 - Liese
57 HCS HB 1278 & 1277 - May (108)
58 HB 1590, HCA 1 - Harlan
59 HB 1145 - Shear (83)
60 HCS HB 1115 - Montgomery
61 HCS HB 1206 & 1484 - Hosmer
62 HB 1575 - Loudon
63 HB 1180 - Williams (159)
64 HB 1080, HCA 1 - Troupe
65 HCS HB 1430 & 1165 - Hosmer
66 HCS HB 1000 - Treadway
67 HCS HB 840 & 841 - Luetkenhaus
68 HB 833, HCA 1 - Dougherty
69 HCS HB 1465 - Hoppe
70 HB 1245 - Farmer
71 HCS HB 867, 893 & 1401 - Morgan
72 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacobs

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HOUSE BILLS FOR PERFECTION - CONSENT

(March 27, 1996)

HB 1050 - Witt

HB 1598 - Hosmer

(April 1, 1996)

HB 1156 - Scheve

HB 1086 - Fiebelman

(April 3, 1996)

HB 1619 - McClelland

HB 1036 - Dougherty

HOUSE BILLS FOR THIRD READING

1 HCS HB 800, 812, 817 & 821, (Budget Fiscal 3-4-96) - Hosmer
2 HB 1377, (Budget Fiscal 3-4-96) - Bland
3 HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole
4 HB 782, (Budget Fiscal 3-20-96) - Stokan
5 HS HCS HB 1169 & 1271, (Budget Fiscal 3-25-96) - Williams (121)
6 HS HCS HB 1207, 1288, 1408 & 1409, E.C.(Budget Fiscal 3-28-96) - Tate

7 HS HB 1368 - May (108)
8 HB 1113, (Budget Fiscal 4-2-96)) - Stoll
9 HB 811 - Smith

BILL IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-FIRST DAY, Wednesday, April 3, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

In this week called Holy by many, Redeeming God, help us remember your place in our lives -- in whatever form you come to us. Remind us of your Spirit's presence and let that Spirit touch every part of our lives with your power. May your Spirit be in our minds, that we might be eager to learn and adventurous to think new thoughts and ideas. Let us never stray from the path of truth, justice, and integrity.

Most of all, Lord, in the midst of news of police brutality, terrorist bombings, continued threats of violence, angry citizen rebellions -- let us remember those who are constructively working to better this land -- those whose advocacy has brought needed attention to abused and neglected children, to the plight of homeless and hungry people, to the needs of the aged to the needs of all people for self-worth and respect -- and bless them in their efforts.

Grant now your guidance for those in this House in these waning days of session so that they might feel intensely your presence in their lives. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Matthew Besserman, Adam Magers, Brandon Laun, Nichole Harris, Kristen James, Shawna Surbaugh, Charles Surbaugh, Matthew Young, Jimmy Young, Craig Zumwinkel, Mark Zumwinkel and Kurt Zumwinkel.

The Journal of the fiftieth day was approved as corrected.

RESOLUTIONS

Representative Enz offered House Resolution Nos. 625 through 629, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution Nos. 630 through 644, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Enz and Murphy offered House Resolution Nos. 645 through 661, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (69) offered House Resolution No. 662, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 663, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 664, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representatives Hoppe and Kauffman offered House Resolution No. 665, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135) offered House Resolution No. 666, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILL

HB 1641 was read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 800 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1169 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1506, HB 876, HB 1361 and HS HB 1368**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

The Speaker assumed the Chair.

PERFECTION OF HOUSE BILL

HCS HBs 1320, 981, 1042, 1109 and 1250, relating to abortion, was taken up by Representative O'Connor.

Representative O'Connor offered **HS HCS HBs 1320, 981, 1042, 1109 and 1250**.

Representative Edwards-Pavia offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1320, 981, 1042, 1109 and 1250, Page 1, In the Title, Line 3, by striking out the word "eight" and inserting in lieu thereof the word "twelve"; and

Further amend said bill, Page 1, Section A, Line 2, by striking out the word "eight" and inserting in lieu thereof the word "twelve"; and

Further amend said bill, Page 1, Section A, Line 4, by striking out the numeral "197.291" and inserting in lieu thereof the following: "197.285, 197.286, 197.289, 197.295, 197.297"; and

Further amend said bill, Page 3, Section 197.291, Lines 17 through 22 of said page, by striking out all of said lines; and

Further amend said bill, Page 4, Section 197.291, Lines 1 through 14 of said page, by striking out all of said lines and inserting in lieu thereof the following:

"**197.285. Sections 197.285 to 197.297 shall be known and may be cited as the "Women's Special Medical Care Protection Act".**

197.286. 1. In any abortion facility other than licensed ambulatory surgical facilities where abortions are performed, a license to establish and operate an abortion facility shall be required. An application for the licensing of an abortion facility shall be made in writing to the department of health on forms provided by the department of health.

2. Each application for a license shall be accompanied by an annual license fee of two hundred dollars. Applications shall be made by the person operating the abortion facility. The licensee shall notify the department in writing of any change in the name of the abortion facility or change in the name of the administrator. Separate licenses are required for facilities maintained on separate sites even though operated by the same owner.

3. The license shall be conspicuously posted in a public area in the abortion facility. A license shall not be issued by the department until an abortion facility is in compliance with all requirements of sections 197.285 to 197.297.

197.289. 1. The department of health shall, within six months of the effective date of sections 197.285 to 197.297, adopt such reasonable rules, regulations, and standards for the types of services provided as are necessary to

carry out the provisions of sections 197.285 to 197.297, and to assure quality patient care and patient safety, which shall include, but not be limited to:

(1) Construction of the facility including, but not limited to, plumbing, heating, lighting and ventilation which should ensure the health, safety, comfort and privacy of patients and protection from fire hazard;

(2) Number, qualifications and organization of all personnel, having responsibility for any part of the care provided to the patients;

(3) Equipment essential to the health, welfare and safety of the patients;

(4) Facilities, programs and services to be provided in connection with the care of patients in abortion facilities; and

(5) Procedures for peer review and for receiving and investigating complaints regarding any abortion facility or any physician, nurse, assistant, manager, supervisor or employee practicing or working in any such facility.

2. The department shall:

(1) Initiate a program of public inspection to ensure compliance with the provisions of sections 197.285 to 197.297;

(2) After inspection, grant licenses to persons to operate an abortion facility if satisfied as to the good character and intent of the applicant and that such applicant is qualified and equipped to render care or service conducive to the welfare of women, and to renew the same when expired. No license shall be granted for a term exceeding two years. Each license document shall specify the abortion services the abortion facility is authorized to perform;

(3) Inspect the conditions of the office or other building in which the applicant operates an abortion facility, inspect their books and records, premises and women being served, examine their officers and agents, and suspend or revoke the license of persons who fail to obey the provisions of sections 197.285 to 197.297, or chapter 188, RSMo, relating to abortions.

197.295. The department of health may deny, suspend or revoke a license in any case in which the department finds that there has been a substantial failure to comply with the requirements of chapter 188, RSMo, or sections 197.285 to 197.297, or in any case in which the director of the department makes a finding that the applicant, or if the applicant is a firm, partnership or association, any of its officers or directors, or the person designated to manage or supervise the facility, has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of an abortion facility, or for any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed.

197.297. 1. Any person operating, conducting, managing, or establishing an abortion facility without a license required by sections 197.285 to 197.297 is guilty of a class A misdemeanor and, upon conviction, shall be subject to a fine of not more than five hundred dollars. Each day of continuing violations shall constitute a separate offense.

2. The attorney general shall represent the department of health and shall institute an action in the name of the state for injunctive or other relief against any person or governmental unit to restrain or prevent the establishment, conduct, management, or operation of an abortion facility without a license issued pursuant to the provisions of sections 197.285 to 197.297.".

On motion of Representative Edwards-Pavia, House Amendment No. 1 was adopted by the following vote:

AYES: 119

Akin	Alter	Auer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Boucher
Broach	Brown	Burton	Champion	Childers
Chrismer	Cierpiot	Cooper	Crum 112	Crump 152
Daniel 42	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Foley
Foster	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Koller	Kreider
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	McBride	McClelland	Mitchell
Montgomery	Murphy	Murray 69	Naeger	Nordwald

O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Sheldon 104	Shields	Smith	Sombart
Steen 163	Stoll	Summers	Surface	Thomason
Treadway	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 159	Wooten	

NOES: 037

Backer	Bland	Bray	Canuteson	Carter
Clayton	Davis	Days	Farmer	Fitzwater
Ford	Franklin	Gunn	Hagan-Harrell	Harlan
Jacob	Kelly 27	Klumb	Lakin	Lumpe
May 108	Mays 50	McLuckie	Morgan	Murray 135
Scheve 57	Schilling	Sears 1	Shear 83	Shelton
Skaggs 121	Stokan	Thompson 37	Van Zandt	Williams
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 005

Bonner	Copeland	Daniels 41	Tate	Troupe

VACANCY: 002

On motion of Representative O'Connor, **HS HCS HBs 1320, 981, 1042, 1109 and 1250, as amended,** was adopted.

On motion of Representative O'Connor, **HS HCS HBs 1320, 981, 1042, 1109 and 1250, as amended,** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS - CONSENT

Representative Backer requested unanimous consent to suspend the first paragraph of Rule 48 for the following bills, **HB 1050, HB 1598, HB 1156, HB 1086, HB 1619 and HB 1036**, for the purpose of perfecting said bills.

Which motion was adopted.

HB 1050, relating to Attorney General, was taken up by Representative Witt.

On motion of Representative Witt, **HB 1050** was ordered perfected and printed.

HB 1598, relating to investor education fund, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1598** was ordered perfected and printed.

HB 1156, relating to gubernatorial appointment, was taken up by Representative Scheve and placed on the Informal Calendar.

HB 1086, relating to institutional vandalism, was taken up by Representative Fiebelman.

On motion of Representative Fiebelman, **HB 1086** was ordered perfected and printed.

HB 1619, relating to family court commissioner's duties, was taken up by Representative McClelland.

On motion of Representative McClelland, **HB 1619** was ordered perfected and printed.

HB 1036, relating to breast feeding, was taken up by Representative Dougherty.

Representative Dougherty moved **HB 1036**, be ordered perfected and printed.

Which motion was defeated by the following vote:

AYES: 062

Auer	Backer	Barry	Bland	Canuteson
Carter	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Gratz	Green	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hoppe

Hosmer	Jacob	Keeven	Kelly 27	Kissell
Kreider	Lakin	Leake	Liese	Luetkenhaus
Lumpe	Marshall 26	May 108	McBride	McLuckie
Murray 69	O'Neill	O'Toole	Overschmidt	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Sheldon 104
Shelton 57	Skaggs	Smith	Stoll	Summers
Thomason 163	Thompson 37	Treadway	Wiggins	Williams 121
Witt	Mr. Speaker			

NOES: 087

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Boucher	Bray	Broach
Brown	Burton	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Crum 112	Daniel 42
Edwards-Pavia	Elliott	Enz	Evans	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Griesheimer	Gross
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Kasten	Kauffman	Kelley 47	Koller	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	Mays 50	McClelland	Mitchell
Montgomery	Morgan	Murphy	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Pauley	Pouche
Prost	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shear 83	Shields	Sombart	Steen	Surface
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 012

Bonner	Copeland	Heckemeyer	Hickey	Howerton
Klumb	O'Connor	Ribaudo	Stokan	Tate
Troupe	Ward			

VACANCY: 002

THIRD READING OF HOUSE BILLS

HCS HBs 800, 812, 817 and 821, relating to crimes, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS HBs 800, 812, 817 and 821** was read the third time and passed by the following vote:

AYES: 140

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Boucher	Bray	Broach	Brown	Burton
Canuteson	Champion	Childers	Chrismer	Cierpiot
Cooper	Crum 112	Crump 152	Daniel 42	Daniels 41
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Foley	Ford
Foster	Franklin	Froelker	Gaskill	Gibbons
Goward	Graham	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling

Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 011

Bland	Carter	Davis	Days	Farmer
Fitzwater	Gratz	Green	Gunn	Harlan

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 010

Bonner	Clayton	Copeland	Garnett	Klumb
Koller	Ribaudo	Tate	Thompson 37	Troupe

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1169 and 1271, relating to zero tolerance, was taken up by Representative Williams (121).

On motion of Representative Williams (121), **HS HCS HBs 1169 and 1271** was read the third time and passed by the following vote:

AYES: 138

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Boucher	Bray	Broach	Brown	Burton
Canuteson	Champion	Childers	Chrismer	Cierpiot
Cooper	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gaskill	Gibbons	Goward	Graham
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Thomason 163	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 015

Auer	Carter	Clayton	Farmer	Gratz

Green	Griesheimer	Gunn	Heckemeyer	Hickey
Jacob	Kreider	Reynolds	Thompson 37	Treadway

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner	Copeland	Garnett	Hoppe	Klumb
Ribaudo	Tate	Troupe		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Morgan moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

HS HB 1368, relating to unemployment compensation, was taken up by Representative May (108).

On motion of Representative May (108), **HS HB 1368** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 010

Bonner	Copeland	Garnett	Klumb	Mays 50
O'Toole	Ribaudo	Shelton 57	Tate	Troupe

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Bland, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

HB 811, relating to anatomical gifts, was taken up by Representative Smith.

On motion of Representative Smith, **HB 811** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Cierpiot	Clayton	Cooper	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Thomason 163	Thompson 37
Treadway	Van Zandt	Vogel	Wannenmacher	Ward
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 006

Hall	Hartzler 124	Hohulin	Lograsso	Whiteside

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 009

Bonner	Chrismer	Copeland	Garnett	Klumb
Ribaudo	Secrest	Tate	Troupe	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative O'Connor moved that the vote by which the bill passed be reconsidered.

Representative Prost moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL

HCS HB 999, relating to physical therapists assistants, was taken up by Representative Treadway.

Representative Smith offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 999, Page 16, Section 11, Line 20, by inserting after the word "**care**" the following: "**or, for licensed providers acting under the auspices of a hospital as defined in section 197.020, RSMo, the provider has received special training pursuant to hospital licensing regulations promulgated by the department of health**"; and

Further amend said bill, Page 16, Section 11, Line 23, by inserting after the word "**care**" the following: "**or, for providers acting under the auspices of a hospital as defined in section 197.020, RSMo, the certified or registered provider has received special training pursuant to hospital licensing regulations promulgated by the department of health;**

(8) Respiratory care procedures performed by a person not described in subdivision (7) of this subsection, if:

(a) The person acts under the auspices of a hospital as defined in section 197.020, RSMo;

(b) The person is supervised by a licensed health care provider whose scope of practice includes the procedures performed; and

(c) The procedures are performed in accordance with the department of health's hospital licensing regulations governing the practice of respiratory care in hospitals".

On motion of Representative Smith, House Amendment No. 1 was adopted.

Representative Barry offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill 999, page 1, in the title line 4, by deleting the word "twenty-five" and inserting the word "**twenty-six**"; and

Further amend said page, section A, line 2, by deleting the word "twenty-five" and inserting in lieu thereof the word "**twenty-six**", and

Further amend said section, line 4, by striking the following "13 and 14" and inserting in lieu thereof the following "**13, 14 and 15**"; and

Further amend said substitute, page 19, section 14, line 10, by inserting immediately after said line the following;

"**Section 15. Individuals who may serve as first assistants to surgeons during surgical procedures shall be limited to physicians licensed pursuant to section 334.010 to 334.265 RSMo, physician assistants registered pursuant to sections 334.735 to 334.748 RSMo and registered professional nurses licensed pursuant to sections 335.011 to 335.096 RSMo."**

Representative Treadway raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order not well taken.

HCS HB 999, as amended, with House Amendment No. 2, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SS SB 488**, entitled:

An act to repeal sections 43.540, 210.150, 210.245 and 610.120, RSMo 1994, and section 210.221, RSMo Supp. 1995, relating to the care or supervision of children, and to enact in lieu thereof fifteen new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 526**, entitled:

An act to amend chapter 436, RSMo, by adding four new sections relating to athletic agents, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 640**, entitled:

An act to repeal section 144.748 and 144.805, RSMo 1994, relating to sales and use tax, and to enact in lieu thereof two new sections relating to the same subject, with an expiration date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 708**, entitled:

An act to repeal sections 319.100, 319.129 and 319.133, RSMo 1994, and sections 319.131 and 319.132, RSMo Supp. 1995, relating to storage tanks, and to enact five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 743**, entitled:

An act to amend chapter 376, RSMo by adding one new section relating to insurer's subrogation to rights of recovery of insured persons.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 782**, entitled:

An act to repeal section 185.100, RSMo 1994, relating to the Missouri arts council, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katie Lynn Luetkenhaus and Daniel Morgan.

RESOLUTIONS

Representatives Enz and Murphy offered House Resolution Nos. 667 through 681, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution Nos. 682 through 686, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murphy offered House Resolution Nos. 687 through 713, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds, et al, offered House Resolution No. 714, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foster offered House Resolution No. 715, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution No. 716.

Representative Gaw offered House Resolution Nos. 717 through 722, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1050, HB 1598, HB 1086 and HB 1619**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1377 (Fiscal Note)**, begs leave to report it has **been furnished an updated fiscal note and does not require Budget Committee fiscal review.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HCR 10**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 10

WHEREAS, the State of Missouri is now a member of the southern region of the Council of State Governments; and

WHEREAS, Missouri is active in the Southern Governors' Association; and

WHEREAS, the Southern Growth Policies Board was formed in 1971 to create strategies for economic development that address the diverse, interrelated factors affecting the economic bade of the South and its neighboring states; and

WHEREAS, thirteen states and the Commonwealth of Puerto Rico are members of the Southern Growth Policies Board; and

WHEREAS, Missouri is one of only three remaining states eligible for membership on the board that have not become members of the board; and

WHEREAS, the state's membership in the Southern Growth Policies Board will afford participation from the executive and legislative branches of government and from the private sector; and

WHEREAS, the Southern Growth Policies Board informs governmental leaders of emerging issues and trends in such areas as workforce development, technology, international trade, capital formation, and enterprise development; and

WHEREAS, the board is presently developing initiatives to promote regional cooperation and increase communication among the various economic development agencies and organizations of its member states; and

WHEREAS, the Southern Growth Policies Board is working with other entities to build a database of regional economic development information; and

WHEREAS, since 1986, the board's Southern Technology Council has striven to strengthen the region's economy through the development and commercialization of technology:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, hereby formally approve the State of Missouri's membership on the Southern Growth Policies Board, and further accept all the obligations, responsibilities and privileges associated with said membership; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Southern Growth Policies Board.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1050, relating to Attorney General, was taken up by Representative Witt.

On motion of Representative Witt, **HB 1050** was read the third time and passed by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Koller	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche

Prost	Pryor	Reynolds	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Summers	Surface
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 002

Gunn	Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 015

Bray	Copeland	Crump 152	Elliott	Hagan-Harrell
Harlan	Klumb	Kreider	Pauley	Ribaudo
Richardson	Stoll	Tate	Thompson 37	Ward

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Garnett moved that motion lay on the table.

The latter motion prevailed.

HB 1598, relating to investor education fund, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HB 1598** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Koller	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 013

Copeland	Crump 152	Elliott	Ford	Hagan-Harrell
Harlan	Klumb	Kreider	Ribaudo	Richardson
Tate	Thompson 37	Ward		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Marshall (26) moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

HB 1086, relating to institutional vandalism, was taken up by Representative Fiebelman.

On motion of Representative Fiebelman, **HB 1086** was read the third time and passed by the following vote:

AYES: 139

Akin	Alter	Backer	Ballard	Barnett 41
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Daniel 42	Daniels
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Reynolds
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Surface	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 007

Auer	Bland	Gunn	Hohulin	Marshall 133
Summers	Whiteside			

PRESENT: 000

ABSENT WITH LEAVE: 015

Bray	Copeland	Crump 152	Elliott	Ford
Hagan-Harrell	Harlan	Klumb	Kreider	Ribaudo
Richardson	Ridgeway	Tate	Thompson 37	Ward

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Crum (112), title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

HB 1619, relating to family court commissioner's duties, was taken up by Representative McClelland.

On motion of Representative McClelland, **HB 1619** was read the third time and passed by the following vote:

AYES: 141

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Daniel 42	Daniels 41	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foster	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Green	Griesheimer	Gross	Gunn	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Prost	Pryor	Reynolds
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Copeland	Crump 152	Davis	Elliott	Foley
Ford	Franklin	Gratz	Hagan-Harrell	Harlan
Jacob	Klumb	Kreider	Pouche	Ribaudo
Richardson	Ridgeway	Tate	Thompson 37	Ward

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bland	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Crum 112	Daniels 41

Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Koller	Kreider	Lakin	Leake	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery 135	Morgan	Murphy	Murray 69	Murray
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 007

Boatright	Froelker	Hendrickson	Hohulin	Legan
Sheldon 104	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 017

Bennett 15	Copeland	Crump 152	Daniel 42	Elliott
Ford	Hagan-Harrell	Harlan	Kelly 27	Klumb
Linton	Ribaudo	Richardson	Ridgeway	Tate
Thompson 37	Ward			

VACANCY: 002

On motion of Representative Barry, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Canuteson moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 999, as amended, with House Amendment No. 2, pending, relating to physical therapists assistants, was again taken up by Representative Treadway.

Representative Barry moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Leake offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bill No. 999, Page 8, Section 1, Line 16, by inserting immediately after the word "**Care**" the following: "**but does not include certified clinical perfusionists**".

On motion of Representative Leake, House Amendment No. 3 was adopted.

Representative Treadway offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bill No. 999, Page 4, Section 334.680, Lines 1 & 2, by deleting all

of said lines and inserting in lieu thereof the following:

"**334.680. All fees authorized pursuant to the provisions of sections 334.650 to 334.685 shall be collected by the director of the division of professional registration and shall be transmitted to the department of revenue for deposit in the state treasury to the credit of the general revenue fund.**"; and

Further amend said bill, Page 12, Section 6, Line 8, by deleting the words "**in a**" and inserting in lieu thereof the following: "**by transmitting such funds to the department of revenue for deposit to the state treasury to the credit of the**".

On motion of Representative Treadway, House Amendment No. 4 was adopted.

On motion of Representative Treadway, **HCS HB 999, as amended,** was adopted.

On motion of Representative Treadway, **HCS HB 999, as amended,** was ordered perfected and printed.

HB 852, with House Committee Amendment No. 1, relating to lobbyists expenditures, was taken up by Representative Canuteson.

Representative Canuteson offered **HS HB 852**.

Representative Crump (152) raised a point of order that **HS HB 852** is not a true substitute.

The Chair ruled the point of order not well taken.

Representative Shelton (57) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 852, Page 22, Section 386.200, Line 11 from the top of said page, by inserting at the end of said line the following: "**Two investigators and one secretary shall be added to the ethics commission in order to enforce the provisions of this section. Two investigators and one secretary shall be added to the office of the attorney general's office to assist with enforcing compliance with the provisions of this section.**".

On motion of Representative Shelton (57), House Amendment No. 1 was adopted by the following vote:

AYES: 083

Auer	Backer	Barry	Bland	Brown
Burton	Carter	Clayton	Cooper	Crum 112
Crump 152	Daniels 41	Davis	Days	Dougherty
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Garnett	Gibbons	Goward	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Heckemeyer	Hickey	Hoppe
Jacob	Keeven	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Liese	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	May 108	Mays 50
Montgomery 135	Morgan	Murphy	Murray 69	Murray
Naeger	O'Connor	O'Neill	O'Toole	Overschmidt
Pauley	Pouche	Reynolds	Ribaudo	Rizzo
Ross	Scheve	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Thompson 37	Troupe	Van Zandt	Wiggins	Williams 121
Witt	Wooten	Mr. Speaker		

NOES: 072

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Boucher	Bray
Broach	Canuteson	Champion	Childers	Chrismer
Cierpiot	Donovan	Edwards-Pavia	Enz	Evans
Foster	Franklin	Froelker	Gaskill	Graham
Gross	Hall	Hartzler 124	Hegeman	Hendrickson
Hohulin	Hosmer	Howerton	Kasten	Kauffman
Kelley 47	Legan	Levin	Linton	Lograsso
Long	Loudon	Marble	McBride	McClelland
McLuckie	Mitchell	Nordwald	Oetting	Ostmann

Prost	Pryor	Richardson	Ridgeway	Robirds
Sallee	Schilling	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface
Thomason 163	Treadway	Vogel	Wannenmacher	Whiteside
Wieland	Williams 159			

PRESENT: 000

ABSENT WITH LEAVE: 006

Copeland	Daniel 42	Elliott	Klumb	Tate

Ward

VACANCY: 002

Representative Backer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Bill No. 852, page 22, section 2, lines 6 and 7, by deleting after the word "law" the following: "and shall not be eligible for further employment by the state of Missouri thereafter".

On motion of Representative Backer, House Amendment No. 2 was adopted.

Representative Green offered House Amendment No. 3.

Representative Canuteson raised a point of order that House Amendment No. 3 is frivolous.

The Chair ruled the point of order not well taken.

House Amendment No. 3 was withdrawn.

Representative Green offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute of House Bill No. 852, line 8, page 19, by inserting immediately after said line the following:

14. No lobbyist shall disseminate false information regarding proposed legislation. Any person who violates this provision shall not be permitted to register as a lobbyist or appear as a lobbyist before the general assembly or executive branch or any department, division or agency of the executive branch for a period of two years. The House Judiciary & Ethics Committee shall enforce the provision hereof in the House of Representatives, the Senate Ethics Committee shall enforce the provision hereof in the Senate.

On motion of Representative Green, House Amendment No. 3 was adopted by the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Levin	Liese	Linton	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Summers	Surface

Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher 159	Wieland	Wiggins	Williams 121	Williams
Witt	Wooten	Mr. Speaker		

NOES: 011

Bland	Boatright	Ford	Froelker	Legan
Lograsso 37	Loudon	Pryor	Steen	Thompson

Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland	Elliott	Klumb	Ribaudo	Stoll
Tate	Ward			

VACANCY: 002

Representative Shear (83) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Bill No. 852, page 20, section 105.498, line 15, by inserting immediately after said line the following:

"Section 1. Any lobbyist or lobbyist principal, upon entering the capitol, shall wear or conspicuously display a badge with the persons name and organization on it."; and

Further amend the title and enacting clause accordingly.

Representative Smith offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1

for

House Amendment No. 4

AMEND House Substitute for House Bill No. 852, page 23, section 105.498, line 21, by inserting immediately after said line the following:

Section 1. 1. The Missouri ethics commission shall design and issue lobbyist name tags, which shall be worn by each lobbyist, as defined in section 105.470, RSMo, at any time when such lobbyist is in or at the state capitol building. The Missouri ethics commission shall design such lobbyist name tags in two colors, in a size not smaller than two inches by three inches, which shall be fastened on the outside of the lobbyist's garment with lettering adequate in size and clarity to be readable at a distance of three feet by individuals of normal vision, bearing the name of the lobbyist, the names of the persons compensating or appointing such lobbyist and the year. Where a lobbyist has more than three persons compensating or appointing such lobbyist during a calendar year, the commission shall have placed on such lobbyist's name tag the names of the three primary persons compensating or appointing such lobbyist during the calendar year, as determined by the commission by examination of the lobbyist's report filed pursuant to section 105.470, RSMo. The commission may charge each lobbyist who is issued a name tag a reasonable fee not to exceed the cost of making such name tag.

2. After January 1, 1997, any lobbyist who fails to wear the name tag prescribed in this section for such lobbyist at any time while such lobbyist is in or at the state capitol building shall be guilty of a class A misdemeanor; and

Further amend title and enacting clause accordingly.

On motion of Representative Smith, House Substitute Amendment No. 1 for House Amendment No. 4 was adopted.

Representative Murray (135) offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Bill No. 852, page 11, section 105.470.1 (6), line 7, by adding after the word government, the following:

"**or any candidate for the general assembly or any other elective office of state government,**"

On motion of Representative Murray (135), House Amendment No. 5 was adopted.

Representative Luetkenhaus offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Bill No. 852, Page 11, Section 105.470, Line 7, by inserting immediately after the word "government" the following:

"**, or any political subdivision thereof,**"; and

FURTHER AMEND SAID SECTION, Line 8, by inserting immediately after the word "government" the following:

"**, or any political subdivision thereof,**"

Representative Luetkenhaus moved that House Amendment No. 6 be adopted.

Which motion was defeated by the following vote:

AYES: 058

Barnett 4	Barry	Bennett 15	Boucher	Bray
Brown	Champion	Clayton	Cooper	Crum 112
Daniel 42	Daniels 41	Edwards-Pavia	Enz	Evans
Fitzwater	Ford	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Harlan	Hartzler 124	Hickey
Hohulin	Howerton	Keeven	Kissell	Kreider
Luetkenhaus	Marshall 26	May 108	McBride	McLuckie
Murphy	Murray 135	O'Connor	O'Neill	O'Toole
Ostmann	Pauley	Pouche	Prost	Reynolds
Rizzo	Scheve	Shear 83	Sheldon 104	Shelton 57
Shields	Stokan	Thompson 37	Treadway	Troupe
Van Zandt	Wannenmacher	Wooten		

NOES: 095

Akin	Alter	Auer	Backer	Ballard
Bland	Boatright	Bonner	Broach	Burton
Canuteson	Carter	Childers	Chrismer	Cierpiot
Crump 152	Davis	Days	Donovan	Dougherty
Farmer	Farnen	Fiebelman	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gunn	Hall	Hand
Hartzler 123	Heckemeyer	Hegeman	Hendrickson	Hoppe
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Koller	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Lumpe	Marble	Marshall 133	Mays 50	McClelland
Mitchell	Montgomery	Morgan	Murray 69	Naeger
Nordwald	Oetting	Overschmidt	Pryor	Richardson
Ridgeway	Robirds	Ross	Sallee	Schilling
Schwab	Scott	Sears 1	Secrest	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Surface	Thomason 163	Vogel	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

PRESENT: 001

Bartelsmeyer

ABSENT WITH LEAVE: 007

Copeland	Elliott	Hosmer	Klumb	Ribaudo
Tate	Ward			

VACANCY: 002

Representative Thomason (163) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Bill No. 852, page 15, line 20, by inserting after said line a new subsection:

(G) Legislative lobbyist must submit, four times a year, a report to the Ethics Commission listing their clients, how much the lobbyist receives in compensation from that client and each bill worked for that client., and the

clients position, pro or con, on that bill.

The Ethics Commission shall print or cause to be printed, sufficient copies of such report so that each of the following receives a copy.

1. members of the General Assembly

2. state wide elected officials

3. newspapers, TV and radio stations located in this state and further that 300 additional copies be available and provided upon request.

On motion of Representative Thomason (163), House Amendment No. 7 was adopted.

Representative Wannenmacher offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Bill No. 852, Page 3, section 105.456, line 22, by inserting after said line the following:

"or accept employment with the State of Missouri or any of its political subdivisions,"

Also amend said bill page 3, line 22, by adding the following:

"Also no person currently employed by the State of Missouri shall become a lobbyist or an employee of a lobbyist for a period of one year after such person vacates said employment with the State of Missouri."

Representative Bennett offered House Substitute Amendment No. 1 for House Amendment No. 8.

House Substitute Amendment No. 1

for

House Amendment No. 8

AMEND House Substitute for House Bill No. 852, page 3, section 105.456, line 22, by inserting after said line the following:

"or accept employment with the State of Missouri or any of it's political subdivisions,"

Also amend said bill, page 3, line 22, by adding the following:

"Also no person currently employed by the State of Missouri shall become a lobbyist or an employee of a lobbyist for a period of one year after such person vacates said employment with the State of Missouri."

Nothing in this section shall prevent any person from becoming an employee of the State of Missouri in a capacity which would require such person to register as a lobbyist.

Representative Schilling requested a division of the question.

House Substitute Amendment No. 1

for

House Amendment No. 8

PART I

AMEND House Substitute for House Bill No. 852, page 3, section 105.456, line 22, by inserting after said line, the following:

"or accept employment with the State of Missouri or any of it's political subdivisions,"

Representative Bennett moved that PART I of House Substitute Amendment No. 1 for House Amendment No. 8 be adopted.

House Substitute Amendment No. 1

for

House Amendment No. 8

PART II

AMEND House Substitute for House Bill No. 852, page 3, section 105.456, line 22, by inserting after said line the

following:

"Also no person currently employed by the State of Missouri shall become a lobbyist or an employee of a lobbyist for a period of one year after such person vacates said employment with the State of Missouri."

Nothing in this section shall prevent any person from becoming an employee of the State of Missouri in a capacity which would require such person to register as a lobbyist.

Representative Bennett moved that PART II of House Substitute Amendment No. 1 for House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Wannenmacher moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Hartzler (124) offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Bill No. 852, Page 1, In the Title, Line 2, by inserting after the figure "105.470" the following: ", 105.483"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "four" and inserting in lieu thereof the following: "five"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the figure "105.470" the following: ", 105.483"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "four" and inserting in lieu thereof the following: "five"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the figure "105.470" the following: ", 105.483"; and

Further amend said bill, Page 19, Section 105.470, Line 8 of said page, by inserting after all of said line the following:

"105.483. Each of the following persons shall be required to file a financial interestquot;
statement:

(1) Associate circuit judges, circuit court judges, judges of the courts of appeals and of the supreme court, and candidates for any such office;

(2) Persons holding an elective office of the state, whether by election or appointment, and candidates for elective office;

(3) The principal administrative or deputy officers or assistants serving the governor, lieutenant governor, secretary of state, state treasurer, state auditor and attorney general, which officers shall be designated by the respective elected state official;

(4) The members of each board or commission and the chief executive officer of each public entity created pursuant to the constitution or interstate compact or agreement and the members of each board of regents or curators and the chancellor or president of each state institution of higher education;

(5) The director and each assistant deputy director and the general counsel and the chief purchasing officer of each department, division and agency of state government;

(6) Any official or employee of the state authorized by law to promulgate rules and regulations or authorized by law to vote on the adoption of rules and regulations;

(7) Any member of a board or commission created by interstate compact or agreement, including the executive director and any Missouri resident who is a member of the bi-state development agency created pursuant to sections 70.370 to 70.440, RSMo;

(8) Any board member of a metropolitan sewer district authorized under section 30(a) of article VI of the state constitution;

(9) Any member of a commission appointed or operating pursuant to sections 64.650 to 64.950, RSMo, sections 67.650 to 67.658, RSMo, or sections 70.840 to 70.859, RSMo;

(10) The members, the chief executive officer and the chief purchasing officer of each board or commission which enters into or approves contracts for the expenditure of state funds;

(11) Each elected official, the chief administrative officer, the chief purchasing officer and the general counsel, if employed full time, of each political subdivision with an annual operating budget in excess of [one] **five** million dollars, and each official or employee of a political subdivision who is authorized by the governing body of the political subdivision to promulgate rules and regulations with the force of law or to vote on the adoption of rules and regulations with the force of law; unless the political subdivision adopts an ordinance, order or resolution pursuant to subsection 4 of section 105.485;

(12) Any person identified as a decision-making public servant pursuant to subdivision (6) of section 105.450.".

On motion of Representative Hartzler (124), House Amendment No. 9 was adopted by the following vote:

AYES: 094

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Childers	Chrismer	Cierpiot	Clayton	Crum 112
Crump 152	Donovan	Edwards-Pavia	Enz	Fiebelman
Foley	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Hendrickson
Hickey	Hohulin	Hoppe	Howerton	Kasten
Keeven	Kelley 47	Koller	Kreider	Leake
Legan	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 133	McBride
McClelland	Mitchell	Montgomery	Murray 135	Naeger
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Smith	Sombart	Steen	Summers	Surface
Thomason 163	Troupe	Vogel	Wannenmacher	Whiteside
Wiggins	Williams 121	Williams 159	Wooten	

NOES: 056

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Champion
Cooper	Daniel 42	Daniels 41	Davis	Days
Dougherty	Evans	Farmer	Farnen	Fitzwater
Franklin	Green	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hegeman	Jacob	Kauffman	Kelly 27
Kissell	Lakin	Levin	Lumpe	Marshall 26
May 108	Mays 50	McLuckie	Morgan	Murphy
Murray 69	Nordwald	O'Connor	O'Neill	Reynolds
Rizzo	Scheve	Schilling	Skaggs	Stokan
Stoll	Treadway	Van Zandt	Wieland	Witt

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Copeland	Elliott	Ford	Goward	Hosmer
Klumb	Ribaudo	Shear 83	Tate	Thompson 37

Ward

VACANCY: 002

Representative Murray (135) offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Bill No. 852, page 18, section 105.470.10, line 10, by adding at the end of said line, the following:

11. No public official shall be an employee of a lobbyist or lobbyist principal.; and

Further amend said bill by renumbering the following sections accordingly.

Representative Auer offered House Substitute Amendment No. 1 for House Amendment No. 10.

House Substitute Amendment No. 1 for House Amendment No. 10 was withdrawn.

Representative Gratz offered House Substitute Amendment No. 1 for House Amendment No. 10.

House Substitute Amendment No. 1

for

House Amendment No. 10

AMEND House Substitute for House Bill No. 852, page 18, section 105.470.10, line 10, by adding at the end of said line the following:

"**11. No public official shall simultaneously be a public official and be employed for pay by a lobbyist or lobbyist principal for work related to legislation on any issue before the General Assembly**"; and

Further amend said bill by renumbering the following sections accordingly.

On motion of Representative Gratz, House Substitute Amendment No. 1 for House Amendment No. 10 was adopted by the following vote:

AYES: 104

Akin	Auer	Backer	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Boucher	Bray
Broach	Burton	Canuteson	Chrismer	Cierpiot
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Edwards-Pavia	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Garnett	Graham	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hall	Hartzler 123
Heckemeyer	Hegeman	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Keeven	Kelley 47
Kissell	Koller	Lakin	Leake	Legan
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marshall 26	Marshall 133	Mays 50
McLuckie	Montgomery	Morgan	Murphy	Murray 69
Naeger	Nordwald	O'Neill	O'Toole	Ostmann
Overschmidt	Pouche	Prost	Pryor	Richardson
Ridgeway	Rizzo	Ross	Schilling	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shelton 57
Skaggs	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Wieland	Williams 159	Mr. Speaker	

NOES: 043

Alter	Ballard	Barry	Bland	Brown
Carter	Champion	Clayton	Cooper	Farmer
Froelker	Gaskill	Gibbons	Gunn	Hand
Harlan	Hartzler 124	Hendrickson	Hickey	Kauffman
Kelly 27	Kreider	Levin	Marble	May 108
McBride	McClelland	Mitchell	Murray 135	O'Connor
Oetting	Reynolds	Robirds	Sallee	Scheve
Shields	Smith	Troupe	Whiteside	Wiggins
Williams 121	Witt	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 014

Childers	Copeland	Dougherty	Elliott	Ford
Goward	Klumb	Pauley	Ribaudo	Shear 83
Sombart	Tate	Thompson 37	Ward	

VACANCY: 002

Representative Shelton (57) offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Bill No. 852, page 9, section 105.470, line 1, by inserting immediately after said line the following:

"(F) Any item, service or thing of value offered to a public official when any of the following are invited in writing:

a. All members of the senate;

b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the general assembly if a list of the members of the caucus has been previously filed with the ethics committee of the house or senate, and such list has been approved by either of such ethics committees.";

Further amend said bill, page 20, section 105.498, line 15, from the top of said page, by inserting after all of said line the following:

"**105.960 1. The ethics commission shall established and maintain, for lobbying reports submitted pursuant to this chapter, an electronic reporting system for all members of the house of representatives, the senate, state attorney general, state auditor, state treasurer, secretary of state, lieutenant governor and governor. The system may be used for the collection, filing and dissemination of such reports with the commission. The reports shall be maintained and secured in the electronic machine readable format by the commission.**

2. The ethics commission shall forward all of its opinions and decisions to the secretary of state during the month in which such opinions and decisions are issued. Such opinions and decisions shall be published in a special informational section of the Missouri Register."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Canuteson requested a division of the question.

Fifty-first Day-Wednesday, April 3, 1996

House Amendment No. 11

PART I

AMEND House Substitute for House Bill No. 852, page 9, section 105.470, line 1, by inserting immediately after said line the following:

"(F) Any item, service or thing of value offered to a public official when any of the following are invited in writing:

a. All members of the senate;

b. All members of the house of representatives;

c. All members of a joint committee of the general assembly or a standing committee of either the house of representatives or senate; or

d. All members of a caucus of the general assembly if a list of the members of the caucus has been previously filed with the ethics committee of the house or senate, and such list has been approved by either of such ethics committees.";

Representative Shelton (57) moved that PART I of House Amendment No. 11 be adopted.

Which motion was defeated by the following vote:

AYES: 046

Auer	Bray	Brown	Carter	Champion
Cooper	Crump 152	Daniels 41	Davis	Days
Donovan	Farmer	Farnen	Garnett	Gratz
Green	Gunn	Hagan-Harrell	Hartzler 124	Heckemeyer
Hickey	Kasten	Kauffman	Koller	Kreider
Leake	Lumpe	Marshall 133	Montgomery	Morgan
Murray 69	Murray 135	O'Connor	O'Neill	Reynolds
Robirds	Sears 1	Sheldon 104	Shelton 57	Smith
Troupe	Van Zandt	Vogel	Whiteside	Witt

Wooten

NOES: 099

Akin	Alter	Backer	Ballard	Barnett 4

Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Burton	Canuteson	Chrismer
Cierpiot	Clayton	Crum 112	Dougherty	Edwards-Pavia
Enz	Evans	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Gaskill	Gibbons
Graham	Griesheimer	Gross	Hall	Hand
Harlan	Hartzler 123	Hegeman	Hendrickson	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Keeven
Kelley 47	Kelly 27	Kissell	Lakin	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Murphy
Naeger	Nordwald	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Richardson
Ridgeway	Rizzo	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Secrest	Shields
Skaggs	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Wannenmacher	Wieland
Wiggins	Williams 121	Williams 159	Mr. Speaker	

PRESENT: 000

Fifty-first Day-Wednesday, April 3, 1996

ABSENT WITH LEAVE: 016

Bland	Childers	Copeland	Daniel 42	Elliott
Ford	Goward	Klumb	Marshall 26	Pauley
Ribaudo	Shear 83	Sombart	Tate	Thompson 37

Ward

VACANCY: 002

House Amendment No. 11

PART II

AMEND House Substitute for House Bill No. 852, page 20, section 105.498, line 15, from the top of said page, by inserting after all of said line the following:

"**105.960 1. The ethics commission shall established and maintain, for lobbying reports submitted pursuant to this chapter, an electronic reporting system for all members of the house of representatives, the senate, state attorney general, state auditor, state treasurer, secretary of state, lieutenant governor and governor. The system may be used for the collection, filing and dissemination of such reports with the commission. The reports shall be maintained and secured in the electronic machine readable format by the commission.**

2. The ethics commission shall forward all of its opinions and decisions to the secretary of state during the month in which such opinions and decisions are issued. Such opinions and decisions shall be published in a special informational section of the Missouri Register."; and

Further amend said bill, by amending the title and enacting clause accordingly.

PART II of House Amendment No. 11 was withdrawn.

Representative Lograsso offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Bill No. 852, Page 9, Section 105.470, Line 1, by adding at the end of said line the following:

"(f) Any salary or wages paid to a public official and reported as income on the annual financial interest statement."

Representative Lograsso moved that House Amendment No. 12 be adopted.

Which motion was defeated.

Representative Boucher offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Bill No. 852, Page 23, Section 105.498, Line 23, by inserting immediately after

said line the following:

"Section 1. Any lobbyist testifying before a committee of the general assembly must, prior to testifying, swear or affirm the following: 'I swear to tell the truth, the whole truth and nothing but the truth, so help me God.' Any lobbyist falsely testifying after taking such an oath shall be guilty of perjury, pursuant to section 575.040, RSMo."

And FURTHER AMEND SAID BILL, by amending the title and enacting clause accordingly.

On motion of Representative Boucher, House Amendment No. 13 was adopted.

Representative Shields offered House Amendment No. 14.

Representative Scheve raised a point of order that House Amendment No. 14 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Canuteson, **HS HB 852, as amended,** was adopted by the following vote:

AYES: 118

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Champion	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Garnett	Gaskill	Gibbons	Graham
Griesheimer	Gross	Hall	Hand	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Koller	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Schilling	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Steen	Stokan	Stoll	Summers	Surface
Thomason 163	Thompson 37	Treadway	Van Zandt	Wieland
Williams 159	Witt	Mr. Speaker		

NOES: 023

Auer	Bland	Bray	Daniel 42	Daniels 41
Froelker	Gratz	Green	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Hohulin	Kreider	Murray 69
Reynolds	Smith	Troupe	Vogel	Whiteside
Wiggins	Williams 121	Wooten		

PRESENT: 005

Carter	Jacob	Kelly 27	Scheve	Wannenmacher

ABSENT WITH LEAVE: 015

Childers	Copeland	Elliott	Ford	Goward
Klumb	Linton	Marshall 26	Pauley	Ribaudo
Shear 83	Skaggs	Sombart	Tate	Ward

VACANCY: 002

On motion of Representative Canuteson, **HS HB 852, as amended,** was ordered perfected and printed by the following vote:

AYES: 107

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Boatright	Bonner	Boucher

Broach	Brown	Burton	Canuteson	Champion
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Davis	Donovan	Dougherty	Edwards-Pavia	Enz
Evans	Farmer	Farnen	Fiebelman	Foley
Foster	Franklin	Froelker	Gaskill	Gibbons
Graham	Griesheimer	Gross	Hall	Hand
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Kasten	Keeven
Kelley 47	Kissell	Koller	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Prost	Pryor	Richardson
Ridgeway	Rizzo	Robirds	Ross	Schilling
Schwab	Scott	Secrest	Sheldon 104	Shields
Smith	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Van Zandt	Wieland
Williams 159	Mr. Speaker			

NOES: 036

Auer	Bennett 15	Bland	Bray	Carter
Crump 152	Daniel 42	Daniels 41	Days	Fitzwater
Garnett	Gratz	Green	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Hohulin	Kauffman	Kreider
Marshall 133	Murray 69	Murray 135	Pouche	Reynolds
Sallee	Sears 1	Shelton 57	Thompson 37	Troupe
Vogel	Whiteside	Wiggins	Williams 121	Witt

Wooten

PRESENT: 004

Jacob	Kelly 27	Scheve	Wannenmacher

ABSENT WITH LEAVE: 014

Childers	Copeland	Elliott	Ford	Goward
Klumb	Marshall 26	Pauley	Ribaudo	Shear 83
Skaggs	Sombart	Tate	Ward	

VACANCY: 002

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HCS HB 1372 - Budget (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1001**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1259**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 500**, entitled:

An act to amend chapter 136, RSMo, by adding thereto two new sections relating to implementation of the refund required under article X, section 18 of the constitution of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 525**, entitled:

An act to repeal sections 209.251, 209.253, 209.255, 209.257, 209.258 and 209.259, RSMo 1994, relating to certain telecommunication services for the disabled, and to enact in lieu thereof six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 669**, entitled:

An act to repeal sections 643.310, 643.315, 643.320, 643.335 and 643.355, RSMo 1994, relating to motor vehicle emissions inspections, and to enact five new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 898**, entitled:

An act to repeal section 408.300, RSMo 1994, relating to time charges on retail time contracts and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1002**, entitled:

An act to appropriate money for the expenses, grants refunds, and distributions of the State Board of Education and of the Department of Elementary and Secondary Education and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money from the General Revenue Fund to the State School Moneys Fund, and to transfer money from the General Revenue Fund to the Video Instructional Development and Educational Opportunity Fund, and to transfer money from the General Revenue Fund to the Outstanding Schools Trust Fund, and to transfer money from the Gaming Proceeds for Education Fund to the State School Moneys Fund and to transfer money from the Gaming Proceeds for Education Fund to the School District Bond Fund and for the investment in registered bonds of the State Public School Fund by the State Board of Education for the period beginning July 1, 1996 and ending June 30, 1997.

With Senate Substitute Amendment No.1 for Senate Amendment No. 1.

Senate Substitute Amendment No. 1

for

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1002, page 1, section 2.005, line 5, by deleting the number "3,517,581" and inserting in lieu thereof the number "3,329,242" and further amend said section, line 9, by deleting said line and inserting in lieu thereof the following new line:

"Total (Not to exceed 130.40 F.T.E.).....$8,383,314"

and further amend said bill, page 6, section 2.066, line 7, by deleting the number "4,381,625" and inserting in lieu thereof the number "4,190,411" and further amend said section, line 11, by deleting said line and inserting in lieu thereof the following new line

"Total (Not to exceed 251.55 F.T.E.).....$11,718,950"

and further amend said bill, page 10, section 2.135, line 5, by deleting the number "3,558,844" and inserting in lieu thereof the number "3,331,674" and further amend said section, line 8, by deleting the number "4,285,357" and inserting in lieu thereof the number "4,058,187"

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 717, 718, 719, 720, 721 and 722**, begs leave to report it has examined the same and recommends that they **Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1642, introduced by Representative Ridgeway, et al, relating to prison security.

HB 1643, introduced by Representative Schilling, relating to teachers.

Fifty-first Day-Wednesday, April 3, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 4, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-Sixth Day, Tuesday, March 26, 1996, pages 20 and 21, roll call, by showing Representative Bland voting "aye" rather than "absent with leave".

Pages 38 and 39, roll call, by showing Representative Bland voting "aye" rather than "absent with leave".

Pages 45 and 46, roll call, by showing Representative Bland voting "aye" rather than "absent with leave".

Correct House Journal, Fiftieth Day, Tuesday, April 2, 1996, page 3, roll call, by showing Representative Davis voting "aye" rather than "absent with leave".

Page 5, roll call, by showing Representative Edwards-Pavia voting "aye" rather than "absent with leave".

Page 11, roll call, by showing Representatives Bartelsmeyer and Stokan voting "no" rather than "absent with leave".

Pages 11 and 12, roll call, by showing Representatives Cooper and O'Connor voting "aye" rather than "absent with leave".

Pages 16 and 17, roll call, by showing Representative Shields voting "absent with leave" rather than "aye".

Page 18, roll call, by showing Representative Loudon voting "aye" rather than "absent with leave".

Pages 19 and 20, roll call, by showing Representative O'Connor voting "aye" rather than "absent with leave".

Pages 20 and 21, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

Pages 21 and 22, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Fifty-first Day-Wednesday, April 3, 1996

COMMITTEE MEETINGS

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 4, 1996, 9:30 am. Side Gallery

To be considered - Executive Session - SB 605

ENERGY AND ENVIRONMENT

Thursday, April 4, 1996, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - HB 1629, SB 854

FEES AND SALARIES

Wednesday, April 10, 1996. Hearing Room 1 upon morning adjournment.

To be considered - SB 802

PROFESSIONAL REGISTRATION & LICENSING

Thursday, April 4, 1996. Hearing Room 5 upon morning adjournment. Executive session.

To be considered - HB 1634, SB 930

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Thursday, April 4, 1996, 9:00 am. Room 110B executive session.

TRAVEL COMMITTEE

Thursday, April 4, 1996, 8:30 am. Hearing Room 5

HOUSE CALENDAR

FIFTY-SECOND DAY, THURSDAY, APRIL 4, 1996

HOUSE BILLS FOR SECOND READING

HB 1642 and HB 1643

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

HJR 57 - Scheve

HJR 49 - Tate

HJR 58 - Lumpe

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1174 & 1309 - May (108)
3 HCS HB 1186 - Hoppe
4 HCS HB 1237 - Rizzo
5 HB 1241 - Witt
6 HCS HB 1185 - McClelland
7 HB 839 - Luetkenhaus
8 HB 1411 - Loudon
9 HCS HB 1149, 1150 & 1240 - Jacob
10 HCS HB 894 - Bray
11 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
12 HB 1380 - Lumpe
13 HCS HB 1557 & 1489 - Days
14 HCS HB 987, 1155, 1158 & 1219 - Jacob
15 HCS HB 1403 - Dougherty
16 HB 1247 - Shelton (57)
17 HCS HB 1588 - Overschmidt
18 HB 944, HCA 1 - Smith
19 HB 1154 - Murray (69)
20 HCS HB 1540 - Green
21 HB 993 - Williams (121)
22 HB 854 - Bland
23 HB 1312 - Tate
24 HCS HB 843 - Daniels (41)
25 HB 1133 - Witt
26 HB 855 - Bland
27 HCS HB 830 & 1082 - Carter
28 HB 1228, HCA 1 - Harlan
29 HB 1279 - Tate
30 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
31 HCS HB 829 & 1254 - May (108)
32 HB 1414, HCA 1 - Smith
33 HCS HB 960 - Rizzo
34 HB 1436, HCA 1 - Dougherty
35 HB 1399, HCA 1 - Leake
36 HCS HB 1112 - Koller
37 HCS HB 1204 - Wiggins
38 HB 816, HCA 1 - Backer
39 HCS HB 961 - Boucher
40 HB 1535 - Kissell
41 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
42 HCS HB 1429 - Liese
43 HCS HB 1143 - Witt
44 HB 856, HCA 1 - Bland
45 HB 1310 - Tate
46 HCS HB 1175, 1120 & 797 - Gratz
47 HCS HB 912 & 1108 - Treadway
48 HB 1579, HCA 1 - Skaggs
49 HB 1562 - Witt
50 HCS HB 1374 - Scheve
51 HB 801, HCA 1 - Schilling
52 HB 1443, HCA 1, HCA 1 - Prost
53 HB 1289 - Liese
54 HCS HB 1278 & 1277 - May (108)
55 HB 1590, HCA 1 - Harlan
56 HB 1145 - Shear (83)
57 HCS HB 1115 - Montgomery
58 HCS HB 1206 & 1484 - Hosmer
59 HB 1575 - Loudon

60 HB 1180 - Williams (159)
61 HB 1080, HCA 1 - Troupe
62 HCS HB 1430 & 1165 - Hosmer
63 HCS HB 1000 - Treadway
64 HCS HB 840 & 841 - Luetkenhaus
65 HB 833, HCA 1 - Dougherty
66 HCS HB 1465 - Hoppe
67 HB 1245 - Farmer
68 HCS HB 867, 893 & 1401 - Morgan
69 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HOUSE BILLS FOR THIRD READING

1 HB 1377, (Budget Fiscal 3-4-96) - Bland
2 HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole
3 HB 782, (Budget Fiscal 3-20-96) - Stokan
4 HS HCS HB 1207, 1288, 1408 & 1409, E.C. (Budget Fiscal 3-28-96) - Tate
5 HB 1113, (Budget Fiscal 4-2-96)) - Stoll
6 HB 1361, Gibbons - Treadway
7 HCS HB 1372, (Budget Fiscal 4-3-96) - Mays (50)
8 HCS HB 1159,842 & 799 - Scheve
9 HB 908 - Thomason (163)

HOUSE BILLS FOR THIRD READING - FEDERAL MANDATE

HB 876 - Bray

HB 1506 - O'Neill

SENATE BILLS FOR SECOND READING

1 SS SS SB 488
2 SB 526
3 SCS SB 640
4 SCS SB 708
5 SS SCS SB 743
6 SB 782
7 SB 500
8 SB 525
9 SB 669
10 SB 898

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1002, as amended - Franklin

BILL IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

COURTESY RESOLUTIONS

HR 574 - Vogel

HR 575 - Shear (83)

HR 576 - Canuteson

HR 577 - Ridgeway

HR 578 - Shields

HR 579 - Ostmann

HR 580 - Heckemeyer

HR 581 - Griesheimer

HR 582 - Griesheimer

HR 583 - Hartzler (124)

HR 584 - Hartzler (124)

HR 585 - Hartzler (124)

HR 586 - Bray

HR 587 - Cierpiot

HR 588 - Murphy

HR 589 - Farnen

HR 590 - Farnen

HR 591 - Farnen

HR 592 - Hohulin

HR 593 - Hohulin

HR 594 - Gaw

HR 595 - Tate

HR 596 - Mays (50)

HR 597 - Vogel

HR 598 - Ostmann

HR 599 - Williams (121)

HR 601 - Gaw

HR 602 - Gaw

HR 603 - Gaw

HR 604 - Fitzwater

HR 605 - Fitzwater

HR 606 - Fiebelman

HR 607 - Fiebelman

HR 608 - Enz

HR 609 - Enz

HR 610 - Enz

HR 611 - Enz

HR 612 - Enz

HR 613 - Enz

HR 614 - Enz

HR 615 - Enz

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HR 619 - Enz

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HR 624 - Enz

HR 625 - Enz

HR 626 - Enz

HR 627 - Enz

HR 628 - Enz

HR 629 - Enz

HR 630 - Murphy

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HR 632 - Murphy

HR 633 - Murphy

HR 634 - Murphy

HR 635 - Murphy

HR 636 - Murphy

HR 637 - Murphy

HR 638 - Murphy

HR 639 - Murphy

HR 640 - Murphy

HR 641 - Murphy

HR 642 - Murphy

HR 643 - Murphy

HR 644 - Murphy

HR 645 - Enz

HR 646 - Enz

HR 647 - Enz

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HR 650 - Enz

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HR 655 - Enz

HR 656 - Enz

HR 657 - Enz

HR 658 - Enz

HR 659 - Enz

HR 660 - Enz

HR 661 - Enz

HR 662 - Murray (69)

HR 663 - Ross

HR 664 - Williams (121)

HR 665 - Hoppe

HR 666 - Murray (135)

HR 667 - Enz

HR 668 - Enz

HR 669 - Enz

HR 670 - Enz

HR 671 - Enz

HR 672 - Enz

HR 673 - Enz

HR 674 - Enz

HR 675 - Enz

HR 676 - Enz

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HR 680 - Enz

HR 681 - Enz

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HR 698 - Murphy

HR 699 - Murphy

HR 700 - Murphy

HR 701 - Murphy

HR 702 - Murphy

HR 703 - Murphy

HR 704 - Murphy

HR 705 - Murphy

HR 706 - Murphy

HR 707 - Murphy

HR 708 - Murphy

HR 709 - Murphy

HR 710 - Murphy

HR 711 - Murphy

HR 712 - Murphy

HR 713 - Murphy

HR 714 - Reynolds

HR 715 - Foster

HR 717 - Gaw

HR 718 - Gaw

HR 719 - Gaw

HR 720 - Gaw

HR 721 - Gaw

HR 722 - Gaw

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-SECOND DAY, Thursday, April 4, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Comforting God, we pause a moment this morning to remember Secretary Ron Brown and the others whose lives were so tragically ended this week... we remember their families and ask that you comfort them, support them with your presence, and sustain them in the days ahead as they learn to live their lives without their loved ones.

We are constantly reminded of how brief life is -- let us never forget to appreciate each moment -- each moment of time spent with family, each moment of time spent in recreation and relaxation. Time is a precious commodity -- help us use it wisely.

As we deliberate in these halls today, give us guidance to make decisions based on accurate, factual data, not biased opinion or emotion. Give us guidance to choose that which benefits the people we serve in the most productive manner. Bless and care for those who serve here in whatever position they fill -- and give the reassurance of your presence in all that they do. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katie Beers, Kelsey R. Leake, Kristen Strebler and Corey Hartmann.

The Journal of the fifty-first day was approved as corrected.

RESOLUTIONS

Representative McClelland offered House Resolution No. 723, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution No. 724, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mitchell offered House Resolution No. 725, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Akin offered House Resolution No. 726, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 727.

Representative Hartzler (124) offered House Resolution No. 728, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 574 through 599, House Resolution Nos. 601 through 715 and House Resolution Nos. 717 through 722 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 574 through 599, House Resolution Nos. 601 through 715 and House Resolution Nos. 717 through 722 were adopted.

SECOND READING OF HOUSE BILLS

HB 1642 and **HB 1643** were read the second time.

SECOND READING OF SENATE BILLS

SS SS SB 488, SB 526, SCS SB 640, SCS SB 708, SS SCS SB 743, SB 782, SB 500, SB 525, SB 669 and **SB 898** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1001**, begs leave to report it has examined the same and finds it to be truly and correctly printed as agreed to and finally passed.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1372, HB 908 and HCS HB 1159, 842 & 799**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HBs 1207, 1288, 1408 & 1409 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1551**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **HB 1612**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 484**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 484

Whereas, the Missouri House of Representatives fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

Whereas, the House has a long tradition of rendering assistance to those programs which sponsor these projects in the interest of our young people; and

Whereas, one clear example of such a program is the Cedar Hill Gifted Program, which seeks to give students an insight into the democratic process through active participation in a Mock Legislative Session:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, that the sponsors and participants of the Cedar Hill Gifted Student Program be hereby granted permission to use the House Chamber for the purpose of conducting a Mock Legislative Session from 2:00 p.m. to 5:00 p.m. and the House Committee Hearing Rooms from 10:00 a.m. to 1:30 p.m. on Friday, April 12, 1996.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, the legalization and regulation of gambling within the several states has long been recognized as a matter within the exclusive province and expertise of the state under the police powers of the individual

sovereign state in establishing public policy and specific restrictions and limitations on gaming activities; and

WHEREAS, the Indian Gaming Regulatory Act of 1988 and other federal statutes explicitly provide that the laws, and therefore, the public policy of the several states respecting gambling must be recognized in the federal authorization of and the tribal operation of Class III gaming establishment in Indian country; and

WHEREAS, the Missouri Constitution generally prohibits conducting lotteries and gift enterprises, including casino-styled games of chance, in the State of Missouri; and

WHEREAS, the two narrow exceptions to this general prohibition, to allow creation of the Missouri Lottery and to allow casino-styled games of chance only on riverboats operating on the Missouri River or the Mississippi River, were passed by a vote of the people only after several failed attempts and only upon representations that these gaming operations would be strictly regulated, that revenue from these gaming operations would be earmarked to fund education, and that casino-styled games of chance would be prohibited in any city or county unless first approved by a separate vote of the people in that city or county; and

WHEREAS, in response to the wishes of the people and concern that gaming operations may be susceptible to corruption and illegal activity and therefore must be closely regulated, the Missouri Legislature and the Missouri Gaming Commission (the "Commission") enacted the strictest statutes and rule in the United States regulating gaming operations; and

WHEREAS, these statutes and rules provide that casino-styled games of chance are allowed only after licensure by the Commission, a process that includes investigating the applicant prior to licensure in order to review the application which must contain a full financial disclosure by each applicant, to determine the identity of all individuals with a financial interest in the proposed gaming operation, and to conduct a criminal background check on all individuals with a financial interest in the proposed gaming operation along with all employees of the proposed gaming operation; and

WHEREAS, once a gaming operation is licensed, it is under the supervision of and subject to investigation by the Commission regarding any alleged violations of games statutes and rules; and

WHEREAS, a member of the Missouri Highway Patrol is present on each gaming boat in Missouri whenever gaming activities are being conducted in order to assure that operations are conducted in accordance with the law, which provides that the sale and service of liquor on gaming boats be strictly regulated, that the purchase and ownership of gaming equipment be regulated and monitored, and that the licensee may be penalized for any environmental damage it causes during its gaming operations; and

WHEREAS, the people of the State of Missouri have demonstrated their continued moral objection to casino-styled games of chance by voting to create only a narrow exception to the Constitutional prohibition on casino-styled games of chance on riverboats based on the belief that these gambling operations would fund education, would be strictly regulated and would not be forced on any city or county without local approval by election; and

WHEREAS, casino-styled games of chance operated by an Indian Tribe on land located in the State of Missouri that is taken into trust by the federal government would constitute land- based gaming operations; and

WHEREAS, casino-styled games of chance operated by an Indian Tribe on land located in Missouri that is taken into trust by the federal government would *not* be subject to Missouri statues and rules regulating gaming; and

WHEREAS, *no* revenue from casino-styled games of chance operated by an Indian Tribe on land located in the State of Missouri and taken into trust by the federal government would go to the state to further state programs such as education; and

WHEREAS, casino-styled games of chance could be operated on land located in the State of Missouri that is taken into trust by the federal government *without* a local option election to verify that the gaming operation is favored by a majority of the voters in the city or county where the land is located; and

WHEREAS, the federal prohibition against taxing motor fuel sold on tribal land, the removal of large tracts of land from the local tax base and other exceptions from taxation that apply to tribal land could make the taking of land into trust for gaming purposes detrimental to the economic interests of other distributors of motor fuel, state and local government, and local businesses in Missouri:

NOW, THEREFORE, BE IT RESOLVED that the Missouri House of Representatives of the Second Regular Session of the Eighty-eighth General Assembly, the Senate concurring therein, hereby indicates its opposition to the taking of Missouri land into trust for gaming purposes and the operation of land-based gaming by Indian Tribes in the State of Missouri on any land that may be taken into trust by the federal government where such operations are not subject to the strictest regulation, do not provide a direct financial benefit to the state, and do not recognize the right of local residents to vote regarding the appropriateness of such a gaming operation as expressed by the people of Missouri; and

BE IT FURTHER RESOLVED that the Missouri General Assembly further urges the Missouri Attorney General to use any legal remedies which are available to him and which he believes are proper and prudent in opposing the taking of Missouri land into trust for gaming purposes and the operation of land-based casino-styled games of

chance on any land that may be taken into trust by the federal government under the Indian Gaming Regulatory Act of 1988 and other federal statues that are contrary to the provisions of this resolution.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **HB 1599**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1582**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

THIRD READING OF HOUSE BILLS

HB 1377, relating to essential community providers, was taken up by Representative Bland.

On motion of Representative Bland, **HB 1377** was read the third time and passed by the following vote:

AYES: 120

Akin	Alter	Backer	Ballard	Barry
Bennett 15	Bland	Bonner	Boucher	Broach
Brown	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Harlan	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Levin	Liese	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Pauley	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Sears 1
Secrest	Shear 83	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Tate	Thomason 163	Thompson 37	Troupe
Van Zandt	Vogel	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 030

Bartelsmeyer	Boatright	Burton	Cooper	Evans
Hall	Hand	Hartzler 123	Hohulin	Kasten
Kauffman	Keeven	Kelley 47	Legan	Linton
Lograsso	Long	Loudon	Marshall 133	McClelland
Murphy	Murray 135	Oetting	Pouche	Schwab
Scott	Surface	Treadway	Wannenmacher	Wooten

PRESENT: 001

Auer

ABSENT WITH LEAVE: 010

Barnett 4	Bray	Clayton	Copeland	Elliott
Ford	Klumb	O'Neill	Ribaudo	Sheldon 104

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Days, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 1361, relating to judges' retirement, was taken up by Representative Gibbons.

On motion of Representative Gibbons, **HB 1361** was read the third time and passed by the following vote:

AYES: 132

Akin	Alter	Auer	Backer	Barnett 4
Barry	Bennett 15	Bland	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Donovan	Edwards-Pavia	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Froelker	Garnett	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Heckemeyer	Hegeman	Hendrickson
Hickey	Hosmer	Howerton	Jacob	Kasten
Keeven	Kelley 47	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Prost	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Sallee	Scheve
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Wieland	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 021

Ballard	Bartelsmeyer	Boatright	Days	Gaskill
Hartzler 124	Hohulin	Hoppe	Kauffman	Linton
Lumpe	Murray 135	Pouche	Robirds	Ross
Schilling	Scott	Shields	Surface	Whiteside

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland	Dougherty	Elliott	Ford	Franklin
Klumb	Ribaudo	Thompson 37		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

HCS HBs 1159, 842 and 799, relating to bingo, was taken up by Representative Scheve.

On motion of Representative Scheve, **HCS HBs 1159, 842 and 799** was read the third time and passed by the following vote:

AYES: 114

Auer	Backer	Barry	Bennett 15	Bland
Bonner	Boucher	Bray	Brown	Burton
Canuteson	Carter	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Franklin
Froelker	Garnett	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 123	Heckemeyer	Hickey
Hosmer	Jacob	Kasten	Kauffman	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Levin	Liese	Lograsso	Lumpe	May 108
Mays 50	McBride	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Smith	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher 121	Ward	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 040

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Champion	Childers	Chrismer
Enz	Evans	Foster	Gaskill	Gross
Hall	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Keeven	Kelley 47	Legan	Linton
Long	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	McClelland	Sallee	Scott	Secrest
Skaggs	Sombart	Steen	Stokan	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland	Elliott	Ford	Hoppe	Klumb
Ribaudo	Thompson 37			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

HB 908, relating to proof of insurance, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **HB 908** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Evans	Farmer

Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Bland	Troupe

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland	Crump 152	Elliott	Ford	Klumb
Ribaudo	Thompson 37			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative O'Neill, title to the bill was agreed to.

Representative Morgan moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1207, 1288, 1408 and 1409, relating to concentrated animal feeding operations, was taken up by Representative Tate.

On motion of Representative Tate, **HS HCS HBs 1207, 1288, 1408 and 1409** was read the third time and passed by the following vote:

AYES: 136

Akin	Alter	Backer	Ballard	Barnett 41
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Crum 112	Crump 152	Daniel 42	Daniels
Davis	Days	Donovan	Edwards-Pavia	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 133	May 108	Mays 50	McBride
McClelland	Mitchell	Montgomery	Morgan	Murray 69

Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 014

Bray	Brown	Dougherty	Garnett	Harlan
Hohulin	Hosmer	Liese	Loudon	Marshall 26
McLuckie	Murphy	Sallee	Stokan	

PRESENT: 001

Bland

ABSENT WITH LEAVE: 010

Auer	Copeland	Elliott	Ford	Gunn
Keeven	Klumb	Ribaudo	Troupe	Ward

VACANCY: 002

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Alter	Backer	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Broach	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Edwards-Pavia	Enz
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Gaskill	Goward
Graham	Gratz	Green	Griesheimer	Hagan-Harrell
Hall	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Linton	Long	Luetkenhaus	Lumpe
Marble	Marshall 133	May 108	Mays 50	McBride
McClelland	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 021

Akin	Bray	Brown	Dougherty	Evans
Garnett	Gibbons	Gross	Harlan	Hendrickson
Hohulin	Hosmer	Liese	Lograsso	Loudon
Marshall 26	McLuckie	Murphy	Shear 83	Stokan

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Copeland	Elliott	Ford	Gunn
Keeven	Klumb	Ribaudo	Sallee	Troupe

Ward

VACANCY: 002

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 1402, relating to certificate of need, was taken up and placed back on the Informal Calendar.

HCS HB 1172, relating to sales and use tax, was taken up and placed back on the Informal Calendar.

HB 1243, with House Committee Amendment No. 1, relating to outdoor advertising, was taken up and placed back on the Informal Calendar.

HB 962, as amended, relating to certificate of value, was taken up and placed back on the Informal Calendar.

HB 1156, relating to gubernatorial appointments, was taken up and placed back on the Informal Calendar.

THIRD READING OF HOUSE BILLS- FEDERAL MANDATE

HB 876, relating to light rail, was taken up by Representative Bray.

On motion of Representative Bray, **HB 876** was read the third time and passed by the following vote:

AYES: 139

Akin	Alter	Backer	Ballard	Barry
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Crump 152	Daniel 42
Daniels 41	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Ostmann	Overschmidt	Pauley
Pouche	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 005

Gratz	Hartzler 124	Hohulin	Pryor	Steen

PRESENT: 000

ABSENT WITH LEAVE: 017

Auer	Barnett 4	Boucher	Copeland	Davis
Elliott	Ford	Green	Gunn	Keeven
Klumb	Oetting	Prost	Ribaudo	Thompson 37
Troupe	Ward			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

HB 1506, relating to watercraft regulations, was taken up by Representative O'Neill.

On motion of Representative O'Neill, **HB 1506** was read the third time and passed by the following vote:

AYES: 134

Akin	Backer	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Evans	Farmer
Farnen	Fitzwater	Foley	Foster	Garnett
Gibbons	Goward	Graham	Gratz	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelly 27	Kissell	Kreider
Lakin	Leake	Levin	Liese	Linton
Lograsso	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McClelland
McLuckie	Mitchell	Morgan	Murphy	Murray 69
Murray 135	Nordwald	O'Neill	O'Toole	Ostmann
Overschmidt	Pauley	Pouche	Pryor	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 011

Alter	Fiebelman	Franklin	Froelker	Hohulin
Koller	Legan	Loudon	McBride	Montgomery
Naeger				

PRESENT: 000

ABSENT WITH LEAVE: 016

Auer	Copeland	Elliott	Ford	Gaskill
Green	Gunn	Keeven	Kelley 47	Klumb
O'Connor	Oetting	Prost	Ribaudo	Troupe
Ward				

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Schilling, title to the bill was agreed to.

Representative Shear (83) moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1644, introduced by Representatives Scheve and Hosmer, relating to elections.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1003**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education and the several divisions, programs and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri for the period beginning July 1, 1996 and ending June 30, 1997.

With Senate Amendment No. 1 and Senate Amendment No. 2.

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, Page 11, Section 3.170, Lines 2 to 4, by deleting all of the said lines and inserting in lieu thereof the following:

"For the purpose of funding the operation of the Missouri Rehabilitation Center

From General Revenue $13,341,694
From Missouri Rehabilitation Center Earnings Fund .....$1,250,000 E
From Department of Health Institutional Gift Fund .....$100,000 E
Total .....$14,691,694"

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, Page 10, Section 3.145, Line 4, by deleting the number "317,669,236" and inserting in lieu thereof the number "317,169,236"; and further amend said section, line 9, by deleting the number "353,029,702" and inserting in lieu thereof the number "352,529,702".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1004**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue and the Department of Highways and Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 1996 and ending June 30, 1997.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1005**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1996 and ending June 30, 1997.

With Senate Amendment No. 1.

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1005, Page 22, Section 5.335, Line 2, by deleting the words ", other than Greene County,".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1006**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Conservation, Department of Natural Resources, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1996 and ending June 30, 1997.

With Senate Amendment No. 1.

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1006, Page 13, Section 6.205, Line 9, by deleting said line and inserting in lieu thereof the following new line:

"From Federal Funds and Other Funds
.....$2,537,091"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1007**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance and the Department of Labor and Industrial Relations, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 1996 and ending June 30, 1997.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1008**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1996 and ending June 30, 1997.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1009**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1996 and ending June 30, 1997.

With Senate Amendment No. 1.

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1009, Page 11, Section 9.361, Line 6, by inserting immediately after said line, the following:

"**9.362. To the Department of Corrections**

For the Division of Adult Institutions

For the purpose of funding a boot camp within the Potosi Correctional Center

Personal Service
.....$161,200
Expense and Equipment .....
98,800
From General Revenue Fund (Not to exceed 8

F.T.E.).....$260,000"

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1010**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health and the Department of Health, and the several divisions and programs thereof and the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1996 and ending June 30, 1997.

With Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 2.

SENATE AMENDMENT NO. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, Page 31, Section 10.640, Line 13, by deleting the number "3,545,000" and inserting in lieu thereof the number "3,000,000"; and further amend said Section, Line 28, by deleting the number "15,914,994" and inserting in lieu thereof the number "15,369,994".

SENATE SUBSTITUTE AMENDMENT NO. 1

FOR

SENATE AMENDMENT NO. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, Page 32, Section 10.640, Lines 1 and 2, by striking all of said lines and inserting in lieu thereof the following:

"For funding to local health departments and licensed hospitals to provide

pregnancy testing and follow-up services. .....$ 664,000

For funding to local health departments and licensed hospitals to provide

alternative to abortion services for pregnant women. .....$ 900,000"

And further amend said bill by adjusting the totals accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1011**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1996, and ending June 30, 1997.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1012**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement System, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and Contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, the Committee on Public Employee Retirement, the Committee on Administrative Rules, the Joint Committee on Capital Improvements Oversight and the Joint Committee on Economic Development; and for the expenses of the interim committees established by the General Assembly, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 1996 and ending June 30, 1997.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 2:00 p.m., Tuesday, April 9, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-First Day, Wednesday, April 3, 1996, page 25, by inserting after line 21, the following:

"Which motion was defeated."

Correct House Journal, Fifty-First Day, Wednesday, April 3, 1996, pages 5 and 6, roll call, by showing Representatives Hickey and Stokan voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representatives Howerton and Daniel (42) voting "no" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representative Koller voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representative O'Toole voting "aye" rather than "absent with leave".

Pages 9 and 10, roll call, by showing Representatives Chrismer and Secrest voting "aye" rather than "absent with leave".

Pages 14 and 15, roll call, by showing Representatives Harlan and Kreider voting "aye" rather than "absent with leave".

Pages 15 and 16, roll call, by showing Representatives Harlan and Kreider voting "aye" rather than "absent with leave".

Pages 16 and 17, roll call, by showing Representatives Harlan, Kreider and Ridgeway voting "aye" rather than "absent with leave"

Pages 17 and 18, roll call, by showing Representatives Harlan, Davis and Kreider voting "aye" rather than "absent with leave".

Page 18, roll call, by showing Representatives Ridgeway and Bennett (15) voting "aye" rather than "absent with leave".

Pages 23 and 24, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 27, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Fifty-second Day-Thursday, April 4, 1996

COMMITTEE MEETINGS

BUDGET

Tuesday, April 9, 1996, 11:00 am. Hearing Room 9.

Executive session on previously heard bills.

To be considered - HB 1019

CIVIL AND CRIMINAL LAW

Tuesday, April 9, 1996. Hearing Room 7 upon evening adjournment.

Executive Session

FEES AND SALARIES

Wednesday, April 10, 1996. Hearing Room 1 upon morning adjournment.

To be considered - SB 802

HOUSE AUTOMATION AND INTERNET COMMITTEE

Wednesday, April 10, 1996, 8:30 am. Hearing Room 5.

INSURANCE

Tuesday, April 9, 1996, 1:00 pm. Hearing Room 8.

To be considered - Executive Session - SB 664, Executive Session - SB 883

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 10, 1996, 9:30 am. Hearing Room 2. Contested fiscal note.

To be considered - HB 782

JUDICIARY AND ETHICS

Tuesday, April 9, 1996, 8:00 pm. Hearing Room 1.

Executive session may follow.

To be considered - HJR 63, SB 634, SB 501

LABOR

Tuesday, April 9, 1996, 8:00 pm. Hearing Room 8.

To be considered - Executive Session - SB 565

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, April 10, 1996. Hearing Room 8 upon morning adjournment.

Executive session.

To be considered - SB 933, SB 874

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 9, 1996, 1:00 pm. Hearing Room 7.

Executive session may follow.

To be considered - SB 522, SB 642, SB 499, HB 1577

Fifty-second Day-Thursday, April 4, 1996

SOCIAL SERVICES, MEDICAID, AND THE ELDERLY

Tuesday, April 9, 1996, 8:00 pm. Hearing Room 5. Executive session to follow.

To be considered - HB 1633

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, April 10, 1996, 1:30 pm. Hearing Room 2. Amended Notice

Executive session to follow.

To be considered - SB 834

SUB-COMMITTEE ON CONSUMER PROTECTION

Wednesday, April 10, 1996, 9:00 am. Hearing Room 1.

To be considered - HB 949

WAYS AND MEANS

Wednesday, April 10, 1996. Hearing Room 1 and 2 upon noon adjournment.

Executive session will follow.

To be considered - SB 888

HOUSE CALENDAR

FIFTY-THIRD DAY, TUESDAY, APRIL 9, 1996

HOUSE BILL FOR SECOND READING

HB 1644

HOUSE JOINT RESOLUTIONS FOR PERFECTION

HJR 42 - Hosmer

HJR 57 - Scheve

HJR 49 - Tate

HJR 58 - Lumpe

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1174 & 1309 - May (108)
3 HCS HB 1186 - Hoppe
4 HCS HB 1237 - Rizzo
5 HB 1241 - Witt
6 HCS HB 1185 - McClelland
7 HB 839 - Luetkenhaus
8 HB 1411 - Loudon
9 HCS HB 1149, 1150 & 1240 - Jacob
10 HCS HB 894 - Bray
11 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
12 HB 1380 - Lumpe
13 HCS HB 1557 & 1489 - Days
14 HCS HB 987, 1155, 1158 & 1219 - Jacob
15 HCS HB 1403 - Dougherty
16 HB 1247 - Shelton (57)
17 HCS HB 1588 - Overschmidt
18 HB 944, HCA 1 - Smith
19 HB 1154 - Murray (69)
20 HCS HB 1540 - Green
21 HB 993 - Williams (121)
22 HB 854 - Bland
23 HB 1312 - Tate
24 HCS HB 843 - Daniels (41)
25 HB 1133 - Witt
26 HB 855 - Bland
27 HCS HB 830 & 1082 - Carter
28 HB 1228, HCA 1 - Harlan
29 HB 1279 - Tate
30 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
31 HCS HB 829 & 1254 - May (108)
32 HB 1414, HCA 1 - Smith
33 HCS HB 960 - Rizzo
34 HB 1436, HCA 1 - Dougherty
35 HB 1399, HCA 1 - Leake
36 HCS HB 1112 - Koller
37 HCS HB 1204 - Wiggins
38 HB 816, HCA 1 - Backer
39 HCS HB 961 - Boucher
40 HB 1535 - Kissell
41 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
42 HCS HB 1429 - Liese
43 HCS HB 1143 - Witt
44 HB 856, HCA 1 - Bland
45 HB 1310 - Tate
46 HCS HB 1175, 1120 & 797 - Gratz
47 HCS HB 912 & 1108 - Treadway
48 HB 1579, HCA 1 - Skaggs
49 HB 1562 - Witt
50 HCS HB 1374 - Scheve
51 HB 801, HCA 1 - Schilling
52 HB 1443, HCA 1, HCA 1 - Prost
53 HB 1289 - Liese
54 HCS HB 1278 & 1277 - May (108)
55 HB 1590, HCA 1 - Harlan
56 HB 1145 - Shear (83)
57 HCS HB 1115 - Montgomery
58 HCS HB 1206 & 1484 - Hosmer
59 HB 1575 - Loudon
60 HB 1180 - Williams (159)
61 HB 1080, HCA 1 - Troupe
62 HCS HB 1430 & 1165 - Hosmer
63 HCS HB 1000 - Treadway
64 HCS HB 840 & 841 - Luetkenhaus
65 HB 833, HCA 1 - Dougherty
66 HCS HB 1465 - Hoppe
67 HB 1245 - Farmer
68 HCS HB 867, 893 & 1401 - Morgan
69 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(April 9, 1996)

HB 1582 - Witt

HB 1612 - May (108)

HB 1551 - Prost

HOUSE BILLS FOR THIRD READING

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 782, (Budget Fiscal 3-20-96) - Stokan

HB 1113, (Budget Fiscal 4-2-96)) - Stoll

HCS HB 1372, (Budget Fiscal 4-3-96) - Mays (50)

HS HCS HB 1320, 981, 1042, 1109 & 1250 - O'Connor

HCS HB 999 - Treadway

HS HB 852 - Canuteson

HOUSE BILLS WITH SENATE AMENDMENTS

1 SCS HCS HB 1002, as amended - Franklin
2 SCS HCS HB 1003, as amended - Franklin
3 SCS HCS HB 1004 - Green
4 SCS HCS HB 1005, as amended - Green
5 SCS HCS HB 1006, as amended - Tate
6 SCS HCS HB 1007 - Tate
7 SCS HCS HB 1008 - Franklin
8 SCS HCS HB 1009, as amended - Troupe
9 SCS HCS HB 1010, as amended - Carter
10 SCS HCS HB 1011 - Troupe
11 SCS HCS HB 1012 - Green

Fifty-second Day-Thursday, April 4, 1996

BILL IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

SENATE CONCURRENT RESOLUTION

SCR 20 - (3-26-96 pg. 14)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HOUSE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-THIRD DAY, Tuesday, April 9, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Ommie L. Nelms, Pastor of Cameron United Methodist Church.

Almighty God, you rule all the peoples of the earth. Inspire the minds of all women and men to whom you have committed the responsibility of state government and leadership. Give them the vision of truth and justice, that by their counsel and leadership, all people of our state may work together. Give to these legislators the zeal for justice and strength of forbearance, that they may guard our liberty in accordance with your gracious will. Especially, do we pray for Randall (Randy) Relford as he takes his place among this body of leaders. As you anointed leaders and called prophets of old, give your anointing to this our representative from the 6th district, city of Cameron, Missouri. Keep in his heart the love of your people, as he alone with other legislators strive to accomplish the common good for all Missourians. We pray all this in the name of God. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Fiona Rogers, Whitney Reed, James McDonald, Scott Kruger, Tyler Buchholz, Susan Whitley, Nathan Salvin, Carolyn Theis, Molly McCadden, Darnetta Wilson, Whitney Reed, Adam Lane, Graham Guthrie, Keyauna Sisk, Richard Claud Marshall, Melinda Bruce, Jason Fowler, Chastity Majors, Ashley McNeil, Jessie Ketterman, Mitch Swanson, Athena Lacey, Tracy Gerard, Jesse Jantz, Tarik Muzughi, Ashley Stringer, Rhett Yates and Amy Kurtzeborn.

The Journal of the fifty-second day was approved as corrected.

RESOLUTIONS

Representative Williams (121) offered House Resolution No. 729, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ross and Lograsso offered House Resolution Nos. 730 and 731, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 732, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution Nos. 733 and 734, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear (83) offered House Resolution No. 735, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution Nos. 736 through 739, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution Nos. 740 through 742, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 743, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMUNICATION FROM SECRETARY OF STATE

TO THE SPEAKER OF THE HOUSE
Honorable Steve Gaw
Jefferson City, MO
Sir:

I, Rebecca McDowell Cook, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 6th Legislative District in the State of Missouri, on the 2nd day of April, 1996, as provided by law, the following named person was elected to the office of State Representative, 6th Legislative District as shown by the election results certified to this office by the Election Authorities of the 6th Legislative District.

Name	Office
Randall H. Relford 504 Country Club Square Cameron, MO 64429	State Representative 6th Legislative District

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office this 9th day of April, 1996.

/s/Rebecca McDowell Cook
Secretary of State

OATH OF OFFICE

Representative Randall H. Relford advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Steve Gaw, Speaker of the Missouri House of Representatives.

SECOND READING OF HOUSE BILL

HB 1644 was read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1113 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SB 702**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1320, 981, 1042, 1109 & 1250, HS HB 852 and HCS HB 999**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1259**, begs leave to report it has examined the same and finds it to be truly and correctly printed as agreed to and finally passed.

SENATE CONCURRENT RESOLUTION

SCR 20, relating to duties of the Secretary of State, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCR 20** was adopted.

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HCS HB 1002, as amended, SCS HCS HB 1003, as amended, SCS HCS HB 1004, SCS HCS HB 1005, as amended, SCS HCS HB 1006, as amended, SCS HCS HB 1007, SCS HCS HB 1008, SCS HCS HB 1009, as amended, SCS HCS HB 1010, as amended, SCS HCS HB 1011 and SCS HCS HB 1012, relating to appropriations, was taken up by Representative Lumpe.

Representative Lumpe moved that the House refuse to adopt **SCS HCS HB 1002, as amended, SCS HCS HB 1003, as amended, SCS HCS HB 1004, SCS HCS HB 1005, as amended, SCS HCS HB 1006, as amended, SCS HCS HB 1007, SCS HCS HB 1008, SCS HCS HB 1009, as amended, SCS HCS HB 1010, as amended, SCS HCS HB 1011 and SCS HCS HB 1012,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF HOUSE BILLS

HCS HB 999, relating to physical therapists assistants, was taken up by Representative Treadway.

On motion of Representative Treadway, **HCS HB 999** was read the third time and passed by the following vote:

AYES: 149

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hall	Hand	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 007

Bartelsmeyer	Froelker	Garnett	Hartzler 124	Loudon
Marshall 133	Reynolds			

PRESENT: 000

ABSENT WITH LEAVE: 006

Akin	Ford	Hagan-Harrell	Marble	Ribaudo

Witt

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1113, relating to college level instruction, was taken up by Representative Stoll.

On motion of Representative Stoll, **HB 1113** was read the third time and passed by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford	Hagan-Harrell	Marble	Ribaudo	Witt

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HCS HB 1259** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 1259** was delivered to the Governor by the Chief Clerk of the House.

PERFECTION OF HOUSE JOINT RESOLUTIONS

HJR 42, relating to distribution of forfeiture proceeds, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HJR 42** was ordered perfected and printed.

HJR 57, relating to bingo, was taken up by Representative Scheve.

Representative Akin offered House Amendment No. 1.

Representative Scheve raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Childers offered House Amendment No. 1.

House Amendment No. 1

AMEND House Joint Resolution No. 57, Page 2, Section 39A, Line 37 by deleting the brackets on lines 37 and 39 of said section

Representative Childers moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 059

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Burton	Champion	Childers
Chrismer	Cierpiot	Edwards-Pavia	Elliott	Enz
Evans	Foster	Gaskill	Gibbons	Gross
Hall	Hand	Hartzler 124	Hegeman	Hendrickson
Howerton	Kasten	Keeven	Kelley 47	Kreider
Legan	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marshall 26	Marshall 133	McClelland	Mitchell
Murphy	Oetting	Ostmann	Pryor	Ridgeway
Robirds	Ross	Sallee	Scott	Sears 1
Secrest	Skaggs	Sombart	Steen	Stokan
Summers	Surface	Whiteside	Wieland	

NOES: 092

Auer	Backer	Barry	Bennett 15	Bland
Bonner	Boucher	Bray	Brown	Canuteson
Carter	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Froelker	Garnett	Graham
Green 123	Griesheimer	Gunn	Harlan	Hartzler
Heckemeyer	Hickey	Hohulin	Hoppe	Hosmer
Jacob	Kauffman	Kelly 27	Kissell	Klumb
Koller	Lakin	Leake	Levin	Liese
Lumpe	May 108	Mays 50	McBride	Montgomery
Morgan	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Overschmidt	Pauley
Pouche	Prost	Relford	Reynolds	Richardson
Rizzo	Scheve	Schilling	Schwab	Shear 83
Sheldon 104	Shelton 57	Shields	Smith	Stoll
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

PRESENT: 001

Goward

ABSENT WITH LEAVE: 010

Farmer	Ford	Gratz	Hagan-Harrell	Marble

McLuckie	Ribaudo	Thompson 37	Ward	Witt

VACANCY: 001

Representative Loudon offered House Amendment No. 2.

House Amendment No. 2

AMEND House Joint Resolution No 57, Page 2, Section 39 (a), Line 18, by placing brackets around the word "or" and replacing it with the word "and"

On motion of Representative Loudon, House Amendment No. 2 was adopted.

Representative Scheve requested that **HJR 57, as amended,** hold its place on the Perfection Calendar.

HJR 49, relating to water control bonds, was taken up by Representative Tate.

On motion of Representative Tate, **HJR 49** was ordered perfected and printed.

HJR 57, **as amended**, relating to bingo, was again taken up by Representative Scheve.

Representative Scheve moved that **HJR 57, as amended,** be recommitted to the Ways and Means Committee.

Which motion was adopted by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 002

Hohulin	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 012

Ford	Hagan-Harrell	Jacob	Klumb	Liese
Luetkenhaus	Marble	Ribaudo	Sheldon 104	Thompson 37
Ward	Witt			

VACANCY: 001

HJR 58, relating to budget stabilization fund, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **HJR 58** was ordered perfected and printed.

PERFECTION OF HOUSE BILLS

HCS HBs 1174 and 1309, relating to towing of motor vehicles, was taken up by Representative May (108).

Representative May (108) offered **HS HCS HBs 1174 and 1309**.

Representative Montgomery offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1174 and 1309, Page 32, Section 304.155, Line 17, by inserting immediately after said line the following:

"**11. If a lienholder repossesses any motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel by having such property towed, then the towing company shall notify the Missouri state highway patrol of such tow within eight hours of the tow being made and shall further provide the patrol with any additional information the patrol deems appropriate.**".

Representative Montgomery moved that House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Tate offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos.1174 and 1309, section 304.156, page 40, line 22, by deleting the entire line and substituting in lieu thereof the following: (6) a fee of ten dollars may be charged for a "salvage/abandoned property" title, however, the fee for a "junking certificate" shall be one dollar.

On motion of Representative Tate, House Amendment No. 2 was adopted.

Representative Luetkenhaus offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1174 and 1309, page 36, section 304.156, line 14, by inserting immediately after the "period" on said line the following:

"**The petition may also name the agency ordering the tow, or the owner, lessee, or agency thereof of the real property from which the abandoned property was removed.**"

On motion of Representative Luetkenhaus, House Amendment No. 3 was adopted.

Representative May (108) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1174 and 1309, Page 23, Line 22, by inserting immediately after the word "**property**" a comma "**,**"; and

Further amend said bill, Page 36, Section 304.156, Line 5, by deleting the number "**7**" and inserting in lieu thereof the number "**6**"; and

Further amend said bill, Page 37, Section 304.156, Line 17, by deleting the following: "**subsection 7**" and inserting in lieu thereof the following: "**subsection 9 of section 304.155**"; and

Further amend said bill, Page 38, Section 304.156, Line 1, by deleting the number "**5**" and inserting in lieu thereof the number "**4**"; and

Further amend said bill, Page 39, Section 304.156, Line 6, by deleting the number "**3**" and inserting in lieu thereof the number "**2**".

On motion of Representative May (108), House Amendment No. 4 was adopted.

Representative Nordwald offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1174 & 1309, Page 52-3, Section 304.158, Lines 14-22 of page 52 and lines 1-4 of page 53, by striking all of said lines; and

Renumber accordingly.

On motion of Representative Nordwald, House Amendment No. 5 was adopted by the following vote:

AYES: 095

Alter	Backer	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Boucher	Broach	Brown
Burton	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Crump 152
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Koller	Leake
Legan	Levin	Linton	Lograsso	Long
Luetkenhaus	Marshall 133	Mays 50	McBride	McClelland
Mitchell	Montgomery	Murray 135	Naeger	Nordwald
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Sheldon 104
Shields	Sombart	Steen	Stoll	Summers
Surface	Thomason 163	Treadway	Troupe	Vogel
Wannenmacher	Whiteside	Wieland	Williams 159	Wooten

NOES: 056

Auer	Barry	Bland	Bonner	Canuteson
Clayton	Daniel 42	Daniels 41	Davis	Days
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Green	Gunn	Harlan
Hickey	Hoppe	Hosmer	Kelly 27	Kissell
Klumb	Kreider	Lakin	Liese	Loudon
Lumpe	Marshall 26	May 108	McLuckie	Morgan
Murphy	Murray 69	O'Connor	O'Neill	O'Toole
Pauley	Relford	Reynolds	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Shelton 57	Skaggs
Smith	Stokan	Van Zandt	Wiggins	Williams 121

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Akin	Bray	Ford	Hagan-Harrell	Jacob
Marble	Ribaudo	Tate	Thompson 37	Ward

Witt

VACANCY: 001

Representative Ostmann offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1174 and 1309, page 42, section 304.157, line 17, by inserting after the word "lessee" the following:

"or agent thereof of the real property" ; and

Further amend said bill, page 43, section 304.157, line 12, by inserting after the word "lessee" the words "or agent thereof of the real property" ; and

Further amend said bill, page 43, section 304.157, line 14, by deleting the word "thirty" and inserting in lieu thereof the word "ten"

On motion of Representative Ostmann, House Amendment No. 6 was adopted.

Representative Bennett (15) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1174 and 1309, page 21, section 304.150, line 22, by deleting the word "six" and inserting in lieu thereof the word "**twelve**"; and

Further amend House Substitute for House Committee Substitute for House Bill 1174 and 1309, page 22, section 304.150, lines 2, 4 and 8, by deleting the word "six" found on all three lines, and inserting in lieu thereof the word "**twelve**" on all three lines.

Representative Heckemeyer offered House Substitute Amendment No. 1 for House Amendment No. 7.

House Substitute Amendment No. 1
for
House Amendment No. 7

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1174 and 1309, page 21, section 304.150, line 22, by deleting the word "six" and inserting in lieu thereof the word "ten"; and

Further amend House Substitute for House Committee Substitute for House Bills Nos. 1174 and 1309, page 22, section 304.150, lines 2, 4 and 8, by deleting the word "six" found on all three lines, and inserting in lieu thereof the word "ten" on all three lines.

Representative Heckemeyer moved that House Substitute Amendment No. 1 for House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Bennett (15) moved that House Amendment No. 7 be adopted.

Which motion was defeated.

On motion of Representative May (108), **HS HCS HBs 1174 and 1309, as amended,** was adopted by the following vote:

AYES: 085

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Brown	Canuteson	Clayton
Copeland	Crum 112	Crump 152	Davis	Days
Dougherty	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Garnett	Goward
Gratz	Green	Harlan	Heckemeyer	Hendrickson
Hickey	Hoppe	Hosmer	Kauffman	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Morgan
Murray 69	Murray 135	O'Connor	O'Neill	O'Toole
Overschmidt	Pauley	Prost	Relford	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Treadway	Van Zandt
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 068

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Carter
Champion	Childers	Chrismer	Cierpiot	Cooper
Daniel 42	Daniels 41	Donovan	Elliott	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham	Griesheimer	Gross	Gunn	Hall
Hand	Hartzler 123	Hartzler 124	Hohulin	Howerton
Kasten	Keeven	Kelley 47	Linton	Lograsso
Loudon	Marshall 133	Montgomery	Murphy	Naeger
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shelton 57	Sombart
Steen	Summers	Surface	Troupe	Vogel
Wannenmacher	Whiteside	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 009

Ford	Hagan-Harrell	Hegeman	Jacob	Marble
Ribaudo	Thompson 37	Ward	Witt	

VACANCY: 001

On motion of Representative May (108), **HS HCS HBs 1174 and 1309, as amended,** was ordered perfected and printed by the following vote:

AYES: 090

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Brown	Canuteson	Clayton
Cooper	Copeland	Crum 112	Crump 152	Davis
Days	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Garnett	Goward
Gratz	Green	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hendrickson	Hickey	Hoppe	Hosmer
Kauffman	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Long	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Morgan	Murray 69	Murray 135	O'Connor
O'Neill	O'Toole	Overschmidt	Pauley	Prost
Relford	Reynolds	Rizzo	Scheve	Schilling
Scott	Sears 1	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Treadway	Van Zandt	Wannenmacher
Whiteside	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 060

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Carter
Champion	Childers	Chrismer	Cierpiot	Daniel 42
Daniels 41	Donovan	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer	Gross	Gunn	Hall	Hand
Hohulin	Howerton	Kasten	Keeven	Kelley 47
Linton	Lograsso	Loudon	Marshall 133	Montgomery
Murphy	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Ridgeway	Robirds	Ross
Sallee	Schwab	Secrest	Sombart	Steen
Summers	Surface	Troupe	Vogel	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 012

Dougherty	Ford	Hagan-Harrell	Hegeman	Jacob
Marble	Ribaudo	Richardson	Thompson 37	Ward
Wiggins	Witt			

VACANCY: 001

HCS HB 1186, relating to ambulance services, was taken up by Representative Hoppe.

Representative Hoppe offered **HS HCS HB 1186.**

Representative Hoppe offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1186, Page 11, Section 190.100, Line 13 of said page, by deleting the words "**of public safety**" and inserting in lieu thereof the following: "**of health**".

On motion of Representative Hoppe, House Amendment No. 1 was adopted.

Representative Copeland offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill 1186, page 29, section 190.113, line 22, by inserting immediately after said line the following;

"9. The provisions of this section shall not apply to any ambulance service in existence on August 28, 1996 and no local protocols or standards shall infringe on a person's right to choose an ambulance service."

On motion of Representative Copeland, House Amendment No. 2 was adopted by the following vote:

AYES: 089

Akin	Auer	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bray	Brown
Burton	Carter	Champion	Childers	Copeland
Daniels 41	Days	Donovan	Elliott	Evans
Fiebelman	Fitzwater	Foster	Froelker	Garnett
Gaskill	Goward	Graham	Gratz	Gross
Gunn	Hand	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hosmer	Howerton	Kasten
Keeven	Kelly 27	Koller	Leake	Legan
Levin	Long	Loudon	Lumpe	Marshall 26
Marshall 133	May 108	Mitchell	Montgomery	Morgan
Murray 135	Nordwald	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Relford	Richardson
Rizzo	Robirds	Sallee	Scheve	Schwab
Sears 1	Secrest	Shear 83	Smith	Sombart
Steen	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Williams 159	Wooten	

NOES: 063

Alter	Barry	Bland	Bonner	Boucher
Canuteson	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Crump 152	Daniel 42	Davis	Dougherty
Edwards-Pavia	Enz	Farmer	Farnen	Foley
Franklin	Gibbons	Green	Griesheimer	Hall
Harlan	Hartzler 124	Hickey	Hoppe	Kauffman
Kelley 47	Kissell	Klumb	Kreider	Lakin
Liese	Linton	Lograsso	Luetkenhaus	Mays 50
McBride	McClelland	McLuckie	Murphy	Murray 69
Naeger	O'Connor	O'Neill	O'Toole	Pauley
Reynolds	Ridgeway	Ross	Schilling	Scott
Sheldon 104	Shelton 57	Skaggs	Stokan	Treadway
Wiggins	Williams 121	Mr. Speaker		

PRESENT: 001

Shields

ABSENT WITH LEAVE: 009

Broach	Ford	Hagan-Harrell	Jacob	Marble
Ribaudo	Troupe	Ward	Witt	

VACANCY: 001

Representative Elliott offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bill No. 1186, page 1, In the Title, line 11, by deleting the word "twenty-eight" and inserting in lieu thereof the following: "twenty-nine"; and

Further amend said bill, page 1, section A, line 7 of said page, by deleting the word "twenty- eight" and inserting in lieu thereof the following: "twenty-nine"; and

Further amend said bill, page 2, section A, line 5 of said page, by deleting the word and figure "and 190.243" and inserting in lieu thereof the following: ", 190.243 and 1"; and

Further amend said bill, page 40, section 190.243, line 15 of said page, by inserting after all of said line the following:

"**Section 1. The owners of any emergency services provider that is prohibited from doing business or is otherwise**

forced out of business by the provisions of sections 190.001 to 190.250, RSMo, are entitled to compensation in a sum equal to the appraised value of the emergency services provider.".

Representative Elliott moved that House Amendment No. 3 be adopted.

Which motion was defeated.

HCS HB 1186, with House Substitute, as amended, pending, was laid over.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 600 - Miscellaneous Bills and Resolutions

HR 716 - Commerce

Fifty-third Day-Tuesday, April 9, 1996

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HB 852 - Budget (Fiscal Note)

HS HCS HBS 1320, 981, 1042, 1109 & 1250 - Budget (Fiscal Note)

HB 1641 - Insurance

HB 1642 - Correctional and State Institutions

HB 1643 - Education - Elementary and Secondary

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SS SB 488 - Children, Youth and Families

SB 525 - Consumer Protection

SB 526 - Judiciary and Ethics

SCS SB 640 - Commerce

SS SCS SB 743 - Judiciary and Ethics

SB 782 - Tourism, Recreation and Cultural Affairs

SB 855 - Workers Compensation and Employment Security

SB 896 - Insurance

SB 898 - Banks and Financial Institutions

SB 916 - Public Health and Safety

SB 926 - Education - Elementary and Secondary

SB 929 - Civil and Criminal Law

SB 945 - Local Government and Related Matters

SB 970 - Science, Technology and Critical Issues

COMMITTEE CHANGES

April 9, 1996

The Speaker submitted the following changes:

Representative Don Prost appointed a member to the Ways and Means Committee, but no longer a member of the Agriculture Committee.

Representative Randall Relford appointed a member to Education - Elementary and Secondary Committee; Agriculture Committee; and the Local Government and Related Matters Committee.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1002, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1003, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1004,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1005, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1006, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1007,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1008,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1009, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1010, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1011,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1012,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Lybyer, Wiggins, Goode, Russell and Melton.

COMMITTEE REPORTS

Committee on Agriculture, Chairmen Leake and Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 766**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SB 605**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 605, page 1, section 177.086, line 2, by striking "**fifteen**" and inserting in lieu thereof "**twelve**"; and

Further amend said bill, page 1, section 177.086, line 2, by deleting the opening bracket "[" before the word "five"; and

Further amend said bill, page 1, section 177.086, line 3, by deleting the closing bracket "]" after the word "hundred".

Committee on Elections, Chairman Days reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SCS SB 598**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SB 883**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Judiciary and Ethics, Vice-Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 720**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 803**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 803, Page 2, Section 536.024, Line 39, by deleting the word "**authorizing legislation**" and by inserting in lieu thereof the words "**proposed rule**".

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SB 670**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 670, Page 1, Section 109.005, Line 4, by striking "contributions or fees" and inserting in lieu thereof the following: "**or contributions**"

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SB 740**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 740, Page 1, Section In the Title, Lines 2-3, by striking all of said lines and inserting in lieu thereof the following:

"To repeal sections 292.602 and 320.090, RSMo 1994, relating to emergency management, and to enact four new sections relating to the same subject."; and

FURTHER AMEND Senate Bill No.740, Page 10, Section 2, Line 232, by inserting immediately after said line the following:

"Section B. Section 320.090, RSMo 1994, is repealed and one new section enacted in lieu thereof the be known as section 320.090, to read as follows:

320.090. 1. Any municipal fire department, fire protection district or volunteer fire protection association, as defined by section 320.300, may enter into contracts providing for mutual aid regarding emergency services provided by such fire

department, fire protection district or volunteer fire protection association. The contracts that are agreed upon may provide for compensation from the parties and other terms that are agreeable to the parties and may be

for an indefinite period as long as they include a sixty-day cancellation notice by either party. The contracts agreed upon may not be entered into for the purpose of reduction of manpower by either party.

2. Any municipal fire department, fire protection district or volunteer fire protection association may provide assistance to any other municipal fire department, fire protection district or volunteer fire protection association in the state, **or any bordering state** at the time of a significant emergency such as a fire, earthquake, flood, tornado, hazardous material incident or other such disaster. The chief or highest ranking fire officer may render aid to any requesting fire department, fire protection district or volunteer fire protection association as long as he is acting in accordance with the policies and procedures set forth by the governing board of that governmental entity or association.

3. When responding on mutual aid or emergency aid requests, the fire department, fire protection district, or volunteer fire association shall be subject to all provisions of law as if it were providing service within its own jurisdiction."

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SB 837**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Professional Registration and Licensing, Chairman Treadway reporting:

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **HB 1634**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 693**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Professional Registration and Licensing, to which was referred **SB 930**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 930, Page 1, In the Title, Line 2, by deleting the word "section" and inserting in lieu thereof the word and number "sections 329.050"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 320.050 and 329.265, RSMo Supp. 1995, are repealed and two new sections enacted in lieu thereof, to be known as sections 329.050 and 329.265"; and

Further amend said bill, Section A, Line 3, by inserting after all of said line the following:

"329.050. 1. Applicants for examination or licensure under this chapter shall possess the following qualifications:

(1) They must be persons of good moral character, have an education equivalent to the successful completion of the tenth grade and be at least seventeen years of age;

(2) If the applicants are apprentices, they shall have served and completed, as an apprentice under the supervision of a licensed cosmetologist, the time and studies required by the board which shall be no less than three thousand hours for cosmetologists, and no less than seven hundred **eighty** hours for manicurists. However, when the classified occupation of manicurist is apprenticed in conjunction with the classified occupation of cosmetologist, the apprentices shall be required to successfully complete the apprenticeship of no less than a total of three thousand hours;

(3) If the applicants are students, they shall have had the required time in a licensed school of no less than one thousand five hundred hours training for the classification of cosmetologist, with the exception of public vocational technical schools in which a student shall complete no less than one thousand two hundred twenty hours training. All students shall complete no less than three hundred [fifty] **ninety** hours for the classification of manicurist. All students shall complete no less than seven hundred fifty hours for the classification of esthetician. However, when the classified occupation of manicurist is taken in conjunction with the classified occupation of cosmetologist, the student shall not be required to serve the extra three hundred [fifty] **ninety** hours otherwise required to include manicuring of nails; and

(4) They shall have passed an examination to the satisfaction of the board.

2. A person may apply to take the examination required by subsection 1 of this section if the person is a graduate of a school of cosmetology or apprentice program in another state or territory of the United States which has substantially the same requirements as an educational establishment licensed pursuant to this chapter.

3. Each application shall contain a statement that, subject to the penalties of making a false affidavit or declaration, the application is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the application.

4. The sufficiency of the qualifications of applicants shall be determined by the board, but the board may delegate this authority to its executive director subject to such provisions as the board may adopt.

5. For the purpose of meeting the minimum requirements for examination, training completed by a student or apprentice shall be recognized by the board for a period of no more than five years from the date it is received.".

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 846**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 792**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 792, Page 1, Section 301.330, Line 3, by deleting the word "**twenty-four**" and inserting in lieu thereof the word "**thirty-six**"; and

Further amend said bill, Page 1, Section 301.330, Line 7, by deleting the word "or" and inserting in lieu thereof the following: "[or"; and

Further amend said bill, Page 1, Section 301.330, Line 8, by deleting the word "transportation" and inserting in lieu thereof the following: "transportation]".

Fifty-third Day-Tuesday, April 9, 1996

COMMUNICATIONS

Honorable Steve Gaw

Speaker of the House, Room 308

State Capitol Building

Jefferson City, Missouri 65101

Dear Mr. Speaker:

We, the undersigned, comprising more than one-third of the membership of the Missouri House of Representatives do hereby request, pursuant to Article III, Section 22, of the Constitution of the State of Missouri and Rule 36 of the Rules of this House, that the Children, Youth and Families Committee (Representative Dougherty, Chairman) be relieved of **HB 1455** pertaining to same sex persons/adoption and that said bill be placed upon the House Calendar as provided by Rule 36 of the House.

/s/Jim Froelker 111 /s/Estil Robirds 143 /s/David Schwab 157
/s/R. Paul Keeven 78 /s/Phil Wannenmacher 139 /sPat Kelley 47
/s/W.Todd Akin 86 /s/Charles Ballard 140 /s/Jim Mitchell 148
/s/Connie J. Cierpiot 52 /s/Ed Hartzler 123 /s/Luann Ridgeway 35
/s/Bill Foster 156 /s/Gary Marble 130 /s/Jim Howerton 120
/s/Catherine Enz 99 /s/David L. Levin 82 /s/Don Summers 2
/s/Bill Marshall 133 /s/Mary Lou Sallee 144 /s/Carson Ross 55
/s/Brent Evans 92 /s/Raymond W.(Bill)Hand 87 /s/Delbert Scott 119
/s/Chuck Pryor 116 /s/Fred Pouche 30 /s/Don Lograsso 54
/s/Rex Barnett 4 /s/Bill Linton 89 /s/Patricia Secrest 93
/s/Paul Sombart 117 /s/Matt Boatright 118 /s/Daniel J. Hegeman 5
/s/Mary C. Kasten 158 /s/Carl H. Hendrickson 97 /s/Gary Burton 128
/s/Vicky Hartzler 124 /s/Ken Legan 145 /s/Bonnie

Sue Cooper 32
/s/Patrick Naeger 155 /s/Chuck Gross 18 /s/Bubs Hohulin 126
/s/Paul Wieland 101 /s/Carl Vogel 114 /s/John Loudon 88
/s/Dale Whiteside 7 /s/Don Steen 115 /s/Chuck Wooten 137
/s/Marilyn Edwards Pavia 105 /s/Jon Bennett 15
/s/Linda Bartelsmeyerng to 132
/s/Jim Murphy 95 /s/Beth Long 146 /s/Mark Richardson 154
/s/Bill Alter 90 /s/Dave Oetting 122 /s/Michael Gibbons 94
/s/John E. Griesheimer 109 /s/Chuck Surface 129 /s/Glenn Hall 56
/s/Harriet Tatum Brown 13

Honorable Steve Gaw

Speaker of the House, Room 308

State Capitol Building

Jefferson City, Missouri 65101

Dear Mr. Speaker:

We, the undersigned, comprising more than one-third of the membership of the Missouri House of Representatives do hereby request, pursuant to Article III, Section 22, of the Constitution of the State of Missouri and Rule 36 of the Rules of this House, that the Children, Youth and Families Committee (Representative Dougherty, Chairman) be relieved of **HB 1454** pertaining to same sex marriages and that said bill be placed upon the House Calendar as provided by Rule 36 of the House.

/s/Jim Froelker 111 /s/Estil Robirds 143 /s/Chuck Surface 129
/s/R. Paul Keeven 78 /s/Phil Wannenmacher 139 /s/David Schwab157
/s/W. Todd Akin 86 /s/Charles Ballard 140 /s/Pat Kelley 47
/s/Connie J. Cierpiot 52 /s/Ed Hartzler 123 /s/Jim Mitchell 148
/s/Bill Foster 156 /s/Gary Marble 130
/s/Luann Ridgeway 35
/s/Catherine Enz 99 /s/David Levin 82 /s/David W. Broach 102
/s/Bill Marshall 133 /s/Mary Lou Sallee 144 /s/Jim Howerton 120
/s/Brent Evans 92 /s/Raymond W.(Bill)Hand 87 /s/Don Summers 2
/s/Chuck Pryor 116 /s/Fred Pouche 30 /s/Carson Ross 55
/s/Rex Barnett 4 /s/Bill Linton 89 /s/Delbert Scott 119
/s/Paul Sombart 117 /s/Matt Boatright 118 /s/Don Lograsso 54
/s/Mary C. Kasten 158 /s/Carl H. Hendrickson 97
/s/Patricia Secrest 93
/s/Vicky Hartzler 124 /s/Ken Legan 145 /s/Norma Champion 134
/s/Patrick Naeger 155 /s/Chuck Gross 18 /s/Daniel J. Hegeman 5
/s/Paul Wieland 101 /s/Carl Vogel 114 /s/Gary Burton 128
/s/Dale Whiteside 7 /s/Don Steen 115 /s/Bonnie Sue Cooper 32
/s/Chuck Wooten 137 /s/Jon Bennett 15 /s/Bubs Hohulin 126
/s/Jim Murphy 95 /s/Laurie Donovan 74 /s/John Loudon 88
/s/Bill Alter 90 /s/Beth Long 146 /s/Michael Gibbons 94
/s/Marilyn Edwards Pavia 105 /s/Dave Oetting 122
/s/Glenn Hall 56
/s/Mark L. Richardson 154

Honorable Steve Gaw

Speaker of the House, Room 308

State Capitol Building

Jefferson City, Missouri 65101

Dear Mr. Speaker:

We, the undersigned, comprising more than one-third of the membership of the Missouri House of Representatives do hereby request, pursuant to Article III, Section 22, of the Constitution of the State of Missouri and Rule 36 of the Rules of this House, that the Social Services, Medicaid and Elderly Committee (Representative Boucher, Chairman) be relieved of **SB 727** pertaining to confidential records and that said bill be placed upon the House Calendar as provided by Rule 36 of the House.

/s/Paul Wieland 101 /s/Bill Foster 156 /s/Charles Ballard 140
/s/Rich Chrismer 16 /s/Jon Bennett 15 /s/Bill Alter 90
/s/Charlie Shields 28 /s/John Loudon 88 /s/T. Mark Elliott 127
/s/Vicky Hartzler 124 /s/Cindy Ostmann 14 /s/Carl Vogel 114
/s/Catherine Enz 99 /s/David L. Levin 82 /s/Carl H. Hendrickson 97
/s/Linda Bartlesmeyer 132 /s/Mary Lou Sallee 144 /s/Chuck Gross 18
/s/John E. Griesheimer 109 /s/Patricia Secrest 93 /s/Ronald P. Keeven 78
/s/Delbert Scott 119 /s/Raymond W. (Bill) Hand 87 /s/Philip Wannenmacher 139
/s/Matt Boatright 118 /s/Paul Sombart 117 /s/James E. Graham 106
/s/Jim Howerton 120 /s/Patrick Naeger 155 /s/Gary Burton 128
/s/Fred Pouche 30 /s/Jim Froelker 111 /s/Charles Nordwald 19
/s/Don Lograsso 54 /s/Luann Ridgeway 35 /s/Pat Kelley 47
/s/Glenn Hall 56 /s/Michael Gibbons 94 /s/Carson Ross 55
/s/Chuck Pryor 116 /s/Don Steen 115 /s/Dave Oetting 122
/s/Sam Gaskill 131 /s/Connie J. Cierpiot 52 /s/Bill Linton 89
/s/Brent Evans 92 /s/W. Todd Akin 86 /s/Mark Richardson 154
/s/Daniel J. Hegeman 5 /s/Dave Broach 102 /s/Harriett Tatum Brown 13
/s/Marilyn Edwards Pavia 105 /s/Bill Marshall 133 /s/Ken Legan 145

/s/Bubs Hohulin 126

Fifty-third Day-Tuesday, April 9, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 10, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-Second Day, Thursday, April 4, 1996, page 5, roll call, by showing Representative Barnett (4) voting "aye" rather than "absent with leave".

Page 6, roll call, by showing Representatives Franklin and Dougherty voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representative Hoppe voting "aye" rather than "absent with leave".

Pages 9 and 10, roll call, by showing Representative Sallee voting "aye" rather than "absent with leave".

Page 11, roll call, by showing Representatives Davis and Barnett (4) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 10, 1996, 1:30 pm. Hearing Room 9. Executive Session

To be considered - SB 683

BUDGET

Wednesday, April 10, 1996, 8:30 am. Hearing Room 9. Presentation by Legislative Oversight.

Executive session

To be considered - HB 1372, HB 852

CIVIL AND CRIMINAL LAW

Wednesday, April 10, 1996. Hearing Room 7 upon evening adjournment.

Executive session may follow.

To be considered - SB 929

COMMERCE

Thursday, April 11, 1996, 8:30 am. Hearing Rooms 1 & 2. Executive session may follow.

To be considered - HR 716, SB 640

FEES AND SALARIES

Wednesday, April 10, 1996. Hearing Room 1 upon morning adjournment.

To be considered - SB 802

Fifty-third Day-Tuesday, April 9, 1996

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, April 10, 1996, 9:00 am. Hearing Room 8. Executive session to follow.

To be considered - HB 1635, SB 876

HOUSE AUTOMATION AND INTERNET COMMITTEE

Wednesday, April 10, 1996, 8:30 am. Hearing Room 5.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, April 10, 1996, 9:30 am. Hearing Room 2. Amended Notice. Contested fiscal note.

To be considered - HB 782, HB 1320

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, April 10, 1996. Hearing Room 8 upon morning adjournment.

Executive session.

To be considered - SB 933, SB 874

STATE PARKS, RECREATION AND NATURAL RESOURCES

Wednesday, April 10, 1996, 1:30 pm. Hearing Room 2. Amended Notice.

Executive session to follow.

To be considered - SB 834

SUB-COMMITTEE ON CHILDREN, YOUTH AND FAMILIES

Wednesday, April 10, 1996, 8:00 am. Hearing Room 4.

To be considered - HB 1454, HB 1455

SUB-COMMITTEE ON CONSUMER PROTECTION

Wednesday, April 10, 1996, 9:00 am. Hearing Room 1.

To be considered - HB 949

TRAVEL COMMITTEE

Thursday, April 11, 1996, 8:30 am. Hearing Room 5.

WAYS AND MEANS

Wednesday, April 10, 1996. Hearing Room 1 and 2 upon noon adjournment.

Executive session will follow.

To be considered - SB 888

WAYS AND MEANS

Wednesday, April 10, 1996, 6:30 pm. Hearing Rooms 1 & 2.

To be considered - HJR 57

Fifty-third Day-Tuesday, April 9, 1996

HOUSE CALENDAR

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 10, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1186, with HS, as amended, pending - Hoppe
3 HCS HB 1237 - Rizzo
4 HB 1241 - Witt
5 HCS HB 1185 - McClelland
6 HB 839 - Luetkenhaus
7 HB 1411 - Loudon
8 HCS HB 1149, 1150 & 1240 - Jacob
9 HCS HB 894 - Bray
10 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
11 HB 1380 - Lumpe
12 HCS HB 1557 & 1489 - Days
13 HCS HB 987, 1155, 1158 & 1219 - Jacob
14 HCS HB 1403 - Dougherty
15 HB 1247 - Shelton (57)
16 HCS HB 1588 - Overschmidt
17 HB 944, HCA 1 - Smith
18 HB 1154 - Murray (69)
19 HCS HB 1540 - Green
20 HB 993 - Williams (121)
21 HB 854 - Bland
22 HB 1312 - Tate
23 HCS HB 843 - Daniels (41)
24 HB 1133 - Witt
25 HB 855 - Bland
26 HCS HB 830 & 1082 - Carter
27 HB 1228, HCA 1 - Harlan
28 HB 1279 - Tate
29 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
30 HCS HB 829 & 1254 - May (108)
31 HB 1414, HCA 1 - Smith
32 HCS HB 960 - Rizzo
33 HB 1436, HCA 1 - Dougherty
34 HB 1399, HCA 1 - Leake
35 HCS HB 1112 - Koller
36 HCS HB 1204 - Wiggins
37 HB 816, HCA 1 - Backer
38 HCS HB 961 - Boucher
39 HB 1535 - Kissell
40 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
41 HCS HB 1429 - Liese
42 HCS HB 1143 - Witt
43 HB 856, HCA 1 - Bland
44 HB 1310 - Tate
45 HCS HB 1175, 1120 & 797 - Gratz
46 HCS HB 912 & 1108 - Treadway
47 HB 1579, HCA 1 - Skaggs
48 HB 1562 - Witt
49 HCS HB 1374 - Scheve
50 HB 801, HCA 1 - Schilling
51 HB 1443, HCA 1, HCA 2 - Prost
52 HB 1289 - Liese
53 HCS HB 1278 & 1277 - May (108)
54 HB 1590, HCA 1 - Harlan
55 HB 1145 - Shear (83)

56 HCS HB 1115 - Montgomery
57 HCS HB 1206 & 1484 - Hosmer
58 HB 1575 - Loudon
59 HB 1180 - Williams (159)
60 HB 1080, HCA 1 - Troupe
61 HCS HB 1430 & 1165 - Hosmer
62 HCS HB 1000 - Treadway
63 HCS HB 840 & 841 - Luetkenhaus
64 HB 833, HCA 1 - Dougherty
65 HCS HB 1465 - Hoppe
66 HB 1245 - Farmer
67 HCS HB 867, 893 & 1401 - Morgan
68 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacobs

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(April 9, 1996)

HB 1582 - Witt

HB 1612 - May (108)

HB 1551 - Prost

HOUSE BILLS FOR THIRD READING

HCS HB 1249, (Budget Fiscal 3-4-96) - O'Toole

HB 782, (Budget Fiscal 3-20-96) - Stokan

HCS HB 1372, (Budget Fiscal 4-3-96) - Mays (50)

HS HCS HB 1320, 981, 1042, 1109 & 1250, (Budget Fiscal 4-9-96) - O'Connor

HS HB 852, (Budget Fiscal 4-9-96) - Canuteson

BILLS IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HOUSE CONCURRENT RESOLUTIONS

HCR 10, (4-3-96 pgs. 13 & 14) - Rizzo

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 484, (4-4-96, p.3) - Edwards-Pavia

HR 347, (3-28-96, pgs.11 & 12) - Prost

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 -

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

FIFTY-FOURTH DAY, Wednesday, April 10, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

We give you thanks, O God of history, that this state and this land are still governed by the people's representatives. Let the democratic process be seen in its best light during this period of campaigning, nominating and electing. Help us keep pride and arrogance from misleading the ways of justice and honesty.

Today, Lord, we recognize in this great Capitol, those men and women who serve and have served in the military forces of our nation. We give you thanks for their willingness, for their courage, for their steadfastness. But in the midst of that recognition, we also pray that one day soon our guns and tanks and weapons of destruction will be beaten into plowshares; our military men and women will find themselves in occupations of peace; and the nations of the world will work together for the common good of all humanity. Let it be so, O God, let it be so.

And now bless those who labor here with your guidance. Give them wisdom, insight, and courage to do what needs to be done. And reassure them of your presence in their daily living. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Adair Stokan, Missy Henke, Angela Lottes, Kacie Kissell, LaChelle Harton, Jessica Tate, Aaron Cole, Katie Wunsch, Tim Alexander, Drew Boyles, Shawn Wheeler, John Urbanex, Chris Chandler, Steven Cauley, Michael Eichhorn, Nancy Hoard, Jordan Mahaney, Shanah Sanker, Chris Michalak, Karee Herman, Denise Will, Sarah Pettus, Laura Barks, Jason Larkins, Elizabeth Nolen, Jenny Bryant, Celia Shannon, Sarah Farmer, Aminat Danmole, Andrew Priest, Natalie Bierce, Jennifer Brockman and John Witte.

The Journal for the fifty-third day was approved as corrected.

RESOLUTIONS

Representative Hartzler (124) offered House Resolution No. 744, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution Nos. 745 and 746, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135) offered House Resolution No. 747, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution Nos. 748 through 750, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE RESOLUTIONS

HR 598, relating to take your daughter to work day, was taken up by Representative Ostmann.

House Resolution No. 598

Whereas, upon occasion the members of the Missouri House of Representatives pause to acknowledge the achievements of today's young citizens who will be tomorrow's leaders; and

Whereas, "Take Our Daughters to Work Day" was established in 1933 to bring young women into the work place in an endeavor to help them build confidence by showing them the vast array of career choices available to women today; and

Whereas, the Honorable Mel Carnahan, governor of the great state of Missouri, has proclaimed April 10, 1996, as "Take Our Daughters to Work Day" in Missouri; and

Whereas, the Missouri Senate and the Missouri House of Representatives will enjoy the honor of playing hosts to the numerous young women who will participate in the third annual "Take Our Daughters to Work Day"; and

Whereas, these young women from all across the state will experience the opportunity to witness first-hand the rapid pace at which the women of the Missouri General Assembly perform their duties and responsibilities; and

Whereas, while in Jefferson City, these young women will receive a formal introduction in the Senate and in the House, will participate in a tour of the capitol, and will be the guests at a special luncheon; and

Whereas, it is the sincere desire of this legislative body that all Missourians support "Take Our Daughters to Work Day" by inviting young women into the work place to explore the career opportunities awaiting women today:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, unanimously join in extending a most cordial welcome to all those young women who will participate in this year's "Take Our Daughters to Work Day"; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for presentation during the 1996 "Take Our Daughters to Work Day".

On motion of Representative Ostmann, Rule 63 was suspended and **HR 598** was adopted.

HR 484, relating to use of chamber, was taken up by Representative Edwards-Pavia.

On motion of Representative Edwards-Pavia, **HR 484** was adopted.

PERFECTION OF HOUSE BILL

HCS HB 1237, relating to economic development, was taken up by Representative Rizzo.

Representative Rizzo offered **HS HCS HB 1237.**

Representative Edwards-Pavia requested a division of the question.

HCS HB 1237, with HS and a request for a division of the question, pending, was laid over.

The Speaker assumed the Chair.

PRESENTATION OF THE COLORS

The Missouri National Guard approached the dais for the presentation of the Colors.

HR 743, relating to military appreciation day, which was read, was taken up by the Speaker.

House Resolution No. 743

Whereas, the members of the Missouri House of Representatives are fully cognizant of the vital role which this nation's armed forces play in protecting and defending America's freedom and her interests around the world; and

Whereas, April 10, 1996, has been designated Military Appreciation/Recognition Day in Missouri as an appropriate way to honor all those brave men and women who have given of themselves in service to America as members of the armed forces stationed in Missouri; and

Whereas, those individuals to be honored on Military Appreciation/Recognition Day include not only active duty members, but also reserve members, National Guard members, veterans, retirees, POWs, and MIAs; and

Whereas, during the festivities on this special occasion, the state of Missouri will enjoy the rare opportunity to acknowledge the sacrifices and the contributions made by two Congressional Medal of Honor winners, Mr. William E. Hall and Mr. Donald E. Ballard; and

Whereas, William E. Hall served America with courage, pride, and loyalty during World War II as a Navy pilot with the rank of Lieutenant, Junior Grade; and

Whereas, Donald E. Ballard rendered proud, courageous, and faithful service to his native land during the Vietnam Conflict as a Navy Hospital Corpsman, Second Class; and

Whereas, it is with deepest gratitude that this legislative body pauses to applaud the countless ways in which the members of the United States Armed Forces have accepted their responsibility in times of both peace and war so that this nation could continue to prosper as the leader of the free world:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, unanimously join with all Missourians in paying tribute to those men and women who have distinguished themselves by carrying on the proud military tradition of America's armed forces through their patriotism, valor, and commitment to the highest standards of excellence; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for presentation on Military Appreciation/Recognition Day.

On motion of Representative Backer, Rule 63 was suspended and **HR 743** was adopted.

Colonel Power, (USAF) Whiteman Air Force Base, addressed the House.

PERFECTION OF HOUSE BILL

HCS HB 1237, with HS and request for a division of question, **pending**, relating to economic development, was again taken up by Representative Rizzo.

Part I of HS HCS HB 1237 was taken up by Representative Rizzo.

Representative Troupe offered House Amendment No. 1.

House Amendment No. 1

AMEND Part I of House Substitute for House Committee Substitute for House Bill No. 1237, Section 135.207, Page 30, Subsection 2, Subdivision 3, Line 20, by inserting immediately after the word "designation" the following:

"**except that the population requirement prescribed in this subdivision shall not apply to satellite zones designated pursuant to subdivision (3) of subsection 1 of this section.**"

On motion of Representative Troupe, House Amendment No. 1 was adopted.

Representative Sallee offered House Amendment No. 2.

Representative Gaskill raised a point of order that House Amendment No. 2 is not germane to **Part I**.

The Chair ruled the point of order well taken.

HCS HB 1237, with Part I, as amended, Part II, Part III, Part IV and Part V of HS pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Smith.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jay Boresi, R.J. DiGerolamo, Chris Lane, Jonathan Palisch, Stephanie Dillon, Brittany Dillon, Azizat Danmole and Elizabeth Dougherty.

RESOLUTIONS

Representative Ross offered House Resolution No. 751, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 752, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Alter offered House Resolution No. 753, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution Nos. 754 and 755, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross and Bennett (15) offered House Resolution No. 756 through 763, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 764, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 723, 724, 725, 726, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763 and 764**, begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1249 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

PERFECTION OF HOUSE BILL

HCS HB 1237, **with Part I, as amended, Part II, Part III, Part IV and Part V of HS, pending**, relating to economic development, was again taken up by Representative Rizzo.

Part I of HS HCS HB 1237, was again taken up by Representative Rizzo.

Representative Scheve offered House Amendment No. 2.

House Amendment No. 2

AMEND Part I of House Substitute for House Committee Substitute for House Bill No. 1237, Page 1, In the Title, Line 2, by inserting after the word "sections" the number "32.105,"; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting after the number "135.405," the numbers "148.330, 148.350"; and

Further amend said bill, Page 1, In the Title, Line 4, by inserting after the word "sections" the number "32.115,"; and

Further amend said bill, Page 1, In the Title, Line 12, by deleting the word "twenty-seven" and inserting in lieu thereof the word "sixty-seven"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the number "32.105,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the word "sections" the number "32.115,"; and

Further amend said bill, Page 2, Section A, Line 1 at the top of said page, by deleting the word "eighteen" and inserting in lieu thereof the word "fifty-six"; and

Further amend said bill, Page 2, Section A, Line 2 from the top of said page by inserting after the word "sections" the numbers "32.105, 32.115,"; and

Further amend said bill, Page 2, Section A, Line 3 from the top of said page, by inserting after the number "135.405," the following: "135.500, 135.503, 135.505, 135.508, 135.516, 135.520, 135.523, 135.526, 135.529, 135.600, 135.605, 135.610, 135.615, 135.620, 135.625, 135.630, 135.635, 135.640, 135.645, 135.650, 135.655, 135.660, 135,665, 135.670, 135.675, 135.680, 135.685, 135.690, 135.695, 135.700, 135.705, 135.710, 135.715, 135.720, 135.725, 135.730,"; and

Further amend said bill, Page 2, Section A, Line 5 from the top of said page, by inserting after all of said line the following:

"32.105. As used in sections 32.100 to 32.125, the following terms mean:

(1) "Affordable housing assistance activities", money, real or personal property, or professional services expended or devoted to the construction, or rehabilitation of affordable housing units;

(2) "Affordable housing unit", a residential unit generally occupied by persons and families with incomes at or below the levels described herein and bearing a cost to the occupant no greater than thirty percent of the maximum eligible household income for the affordable housing unit. In the case of owner occupied units, the cost to the occupant shall be considered the amount of the gross monthly mortgage payment, including casualty insurance, mortgage insurance, and taxes. In the case of rental units, the cost to the occupant shall be considered the amount of the gross rent. The cost to the occupant shall include the cost of any utilities, other than telephone. If any utilities are paid directly by the occupant, the maximum cost that may be paid by the occupant is to be reduced by a utility allowance prescribed by the commission. Persons or families are eligible occupants of affordable housing units if the household combined, adjusted gross income as defined by the commission is equal to or less than the following percentages of the median family income for the

geographic area in which the residential unit is located, or the median family income for the state of Missouri, whichever is larger; ("geographic area" means the metropolitan area or county designated as an area by the federal Department of Housing and Urban Development under Section 8 of the United States Housing Act of 1937, as amended, for purposes of determining fair market rental rates):

Size of Household	Percent of State or Geographic Area Family Median Income
One Person	35%
Two Persons	40%
Three Persons	45%
Four Persons	50%
Five Persons	54%
Six Persons	58%
Seven Persons	62%
Eight Persons	66%

(3) "Business firm", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state;

(4) "Commission", the Missouri housing development commission;

(5) "Community services", any type of counseling and advice, emergency assistance or medical care furnished to individuals or groups in the state of Missouri;

(6) "Crime prevention", any activity which aids in the reduction of crime in the state of Missouri;

(7) "Defense industry contractor", a person, corporation or other entity which will be or has been negatively impacted as a result of its status as a prime contractor of the Department of Defense or as a second or third tier contractor. A "second tier contractor" means a person, corporation or other entity which contracts to perform manufacturing, maintenance or repair services for a prime contractor of the Department of Defense, and a "third tier contractor" means a person, corporation or other entity which contracts with a person, corporation or other entity which contracts with a prime contractor of the Department of Defense;

(8) "Doing business", among other methods of doing business in the state of Missouri, a partner in a firm or a shareholder in an S corporation shall be deemed to be doing business in the state of Missouri if such firm or S corporation, as the case may be, is doing business in the state of Missouri;

(9) "Economic development", the acquisition, renovation, improvement, or the furnishing or equipping of [existing] buildings and real estate in distressed or blighted areas of the state when such acquisition, renovation, improvement, or the furnishing or equipping of the [existing] buildings and real estate will result in the creation or retention of jobs within the state; or, until June 30, 1996, a defense conversion pilot project located in a standard metropolitan statistical area which contains a city with a population of at least three hundred fifty thousand inhabitants, which will assist Missouri-based defense industry contractors in their conversion from predominately defense related contracting to nondefense oriented manufacturing. Only neighborhood organizations, as defined in subdivision (13) of this section, may apply to conduct economic development projects. Prior to the approval of an economic development project, the neighborhood organization shall enter into a contractual agreement with the department of economic development. Credits approved for economic development projects may not exceed [two] **five** million dollars from within any one fiscal year's allocation**. Neighborhood assistance program tax credits for economic development projects may be transferred, sold or assigned by a notarized endorsement thereof naming the transferee**;

(10) "Education", any type of scholastic instruction or scholarship assistance to an individual who resides in the state of Missouri that enables him to prepare himself for better opportunities or community awareness activities rendered by a statewide organization established for the purpose of archeological education and preservation;

(11) "Homeless assistance pilot project", the program established pursuant to section 32.117;

(12) "Job training", any type of instruction to an individual who resides in the state of Missouri that enables him to acquire vocational skills so that he can become employable or be able to seek a higher grade of employment;

(13) "Neighborhood organization", any organization performing community services or economic development activities in the state of Missouri and:

(a) Holding a ruling from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation under the provisions of the Internal Revenue Code; or

(b) Incorporated in the state of Missouri as a not for profit corporation under the provisions of chapter 355, RSMo; or

(c) Designated as a community development corporation by the United States government under the provisions of Title VII of the Economic Opportunity Act of 1964;

(14) "Physical revitalization", furnishing financial assistance, labor, material, or technical advice to aid in the physical improvement or rehabilitation of any part or all of a neighborhood area;

(15) "S corporation", a corporation described in section 1361(a)(1) of the United States Internal Revenue Code and not subject to the taxes imposed by section 143.071, RSMo, by reason of section 143.471, RSMo.

32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

(1) The annual tax on gross premium receipts of insurance companies in chapter 148, RSMo;

(2) The tax on banks determined under subdivision (2) of subsection 2 of section 148.030, RSMo;

(3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030, RSMo;

(4) The tax on other financial institutions in chapter 148, RSMo;

(5) The corporation franchise tax in chapter 147, RSMo;

(6) The state income tax in chapter 143, RSMo; and

(7) The annual tax on gross receipts of express companies in chapter 153, RSMo.

2. For proposals approved under section 32.110, the amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110.

3. Except as provided in subsection 2 or 5 of this section, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development.

4. Except as provided in subsection 2 or 5 of this section, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

(1) An area that is not part of a standard metropolitan statistical area;

(2) A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

(3) A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture. Such community may also be in an unincorporated area in such county as provided in subdivision (1), (2) or (3) of this subsection. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year.

5. Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in any fiscal year. When the four million dollar limit on the tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in subsection 6 of this section. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved under section 32.111 or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed [twenty] **twenty-three** million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460, RSMo. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125.

6. The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

7. For proposals approved under section 32.111, the amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities by a business firm. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units, for purposes of determining the amount of the tax credit. The total amount of tax credit granted for programs approved under section 32.111 for the first fiscal year shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year.

8. For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify said certification.

9. In the case of owner occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification.

10. If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission shall revoke the proposal's certificate of eligibility and all business firms included in the proposal shall be prohibited from claiming any future tax credits under the proposal and shall remit the amount of tax credits taken in previous tax years under the proposal to the director of revenue. The commission shall notify the director of revenue of any such revocation."; and

Further amend said bill, Page 60, Section 135.405, Line 17 from the top of said page, by inserting after all of said line the following:

"**135.500. 1. Sections 135.500 to 135.529 shall be known and may be cited as the "Missouri Certified Capital Company Law".**

2. As used in sections 135.500 to 135.529, the following terms mean:

(1) "Affiliate of a certified company":

(a) Any person, directly or indirectly owning, controlling or holding power to vote ten percent or more of the outstanding voting securities or other ownership interests of the Missouri certified capital company;

(b) Any person ten percent or more of whose outstanding voting securities or other ownership interest are directly or indirectly owned, controlled or held with power to vote by the Missouri certified capital company;

(c) Any person directly or indirectly controlling, controlled by, or under common control with the Missouri certified capital company;

(d) A partnership in which the Missouri certified capital company is a general partner;

(e) Any person who is an officer, director or agent of the Missouri certified capital company or an immediate family member of such officer, director or agent;

(2) "Applicable percentage", one hundred percent;

(3) "Business and industrial development company" or "BIDCO", a Missouri partnership, corporation, trust or limited liability company, whether organized on a profit or not for profit basis, that is a nondepository financial institution organized to comply with the regulatory guidelines established by the Small Business Administration in order to become a lender whose loans are guaranteed by the Small Business Administration, to provide small business administration guaranteed loans, and to help meet the financing assistance and management needs of business firms in the state of Missouri which operate in accordance with applicable law;

(4) "Business and industrial development company subsidiary" or "BIDCO subsidiary", a business and industrial development company which is a subsidiary of a Missouri certified capital company;

(5) "Capital in a qualified Missouri business", any debt, equity or hybrid security, whether secured or unsecured, of any nature and description whatsoever, including a debt instrument or security which has the characteristics of debt but which provides for conversion into equity or equity participation instruments such as options or warrants which are acquired by a Missouri certified capital company as a result of a transfer of cash to a business which at the time of transfer, is a qualified Missouri business. For purposes of sections 135.500 to 135.519, all loans made by a business and industrial development (BIDCO) subsidiary, up to an amount equal to twenty-five percent of the certified capital of the Missouri certified capital company that is the parent of the BIDCO subsidiary, which would otherwise qualify under the Missouri certified capital company law as capital in a qualified Missouri business shall be considered to be capital in a qualified Missouri business of the Missouri certified capital company that is the parent of the BIDCO subsidiary;

(6) "Certified capital", an investment of cash by an investor in a Missouri certified capital company;

(7) "Certified capital company", any partnership, corporation, trust or limited liability company, whether organized on a profit or not for profit basis, that is located, headquartered and registered to conduct business in Missouri that has as its primary business activity, the investment of cash in qualified Missouri businesses, and which is certified by the department as meeting the criteria of sections 135.500 to 135.529;

(8) "Department", the Missouri department of economic development;

(9) "Director", the director of the department of economic development or a person acting under the supervision of the director;

(10) "Investor", any insurance company that contributes cash;

(11) "Person", any natural person or entity, including a corporation, general or limited partnership, trust or limited liability company;

(12) "Qualified distribution", any distribution or payment to equity holders of a certified capital company in connection with the following:

(a) Reasonable costs and expenses of forming, syndicating, managing and operating the certified capital company;

(b) Management fees for managing and operating the certified capital company; and

(c) Any increase in federal or state taxes, penalties and interest, including those related to state and federal income taxes, of equity owners of a certified capital company which related to the ownership, management or operation of a certified capital company;

(13) "Qualified investment", the investment of cash by a Missouri certified capital company or by a BIDCO subsidiary in such a manner as to acquire capital in a qualified Missouri business;

(14) "Qualified Missouri business", an independently owned and operated business, which is headquartered and located in Missouri, which has no more than two hundred employees, eighty percent of which are employed in Missouri, which had gross sales during its most recent complete fiscal year, if any, of seven million or less, which is in need of capital for survival, expansion, or new product development. Such business shall be involved in commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services, but excluding retail, real estate, real estate development, insurance and professional services provided by accountants, lawyers or physicians. Any business which is classified as a qualified Missouri business at the time of the first investment in such business by a Missouri certified capital company shall, for a period of seven years from the date of such first investment, remain classified as a qualified Missouri business and may receive follow-on investments from any Missouri certified capital company and such follow-on investments shall be qualified investments even though such business may not meet the other qualifications of this subsection at the time of such follow- on investments;

(15) "State premium tax liability", any liability incurred by an insurance company under the provisions of section 148.370, RSMo, and related provisions.

135.503. 1. Any investor that makes an investment of certified capital shall, in the year of investment, earn a vested credit against state premium tax liability equal to the applicable percentage of the investor's investment of certified capital. An investor shall be entitled to take up to ten percent of the vested credit in any taxable year of the investor. Any time after three years after the effective date of this act, the director may reduce the applicable percentage on a prospective basis. Any such reduction in the applicable percentage by the director shall not have any effect on credits against state premium tax liability which have been claimed or will be claimed by any investor with respect to credits which have been earned and vested pursuant to an investment of certified capital prior to the effective date of any such change.

2. The credit against state premium tax liability which is described in subsection 1 of this section may not exceed the state premium tax liability of the investor for any taxable year. All such credits against state

premium tax liability may be carried forward indefinitely until the credits are utilized.

3. The aggregate amount of certified capital for which earned and vested credits against state premium tax liability are allowed for all persons pursuant to sections 135.500 to 135.529 shall not exceed the following amounts: for calendar year 1996, $0.00; for calendar year 1997, an amount which would entitle all Missouri certified capital company investors to take aggregate credits of five million dollars; for calendar year 1998, an amount which would entitle all Missouri certified capital company investors to take aggregate credits of ten million dollars; and for any year thereafter, an amount to be determined by the director, and with the approval of the commissioner of administration, provided that the amount so determined shall not impair the ability of an investor with earned and vested credits which have been allowed in previous years to take them, pursuant to subsection 1 of section 135.503. During any calendar year in which the limitation described in this subsection will limit the amount of certified capital for which earned and vested credits against state premium tax liability are allowed, certified capital for which credits are allowed will be allocated in order of priority based upon the date of filing of information described in subdivision (1) of subsection 5 of section 135.516. Certified capital limited in any calendar year by the application of the provisions of this subsection shall be allowed and allocated in the immediately succeeding calendar year in the order of priority set forth in this subsection.

4. The department shall advise any Missouri certified capital company, in writing, within fifteen days after receiving the filing described in subdivision (1) of subsection 5 of section 135.516 whether the limitations of subsection 3 of this section then in effect will be applicable with respect to the investments and credits described in such filing with the department. If any Missouri certified capital company does not receive any notice from the department within such fifteen-day period, then the limitation described in subsection 3 of this section shall not be applicable with respect to the investment and tax credits which are described in such filing with

the department.

135.505. A Missouri certified capital company shall have a funding period of one year from the date of receiving certification from the director. All investments in the Missouri certified capital company shall be made within such three hundred sixty-five day funding period.

135.508. The department may certify profit or not for profit entities which submit an application to be designated as a Missouri certified capital company. The department shall review the organizational documents for each applicant for certification and the business history of the applicant, determine that the Missouri certified capital company's cash, marketable securities and other liquid assets are at least five hundred thousand dollars, determine that the liquid asset base for certified companies is at least five hundred thousand dollars at all times during the company's participation in the program authorized by sections 135.500 to 135.529, and determine that the officers and the board of directors, partners, trustees or managers are thoroughly acquainted with the requirements of sections 135.500 to 135.529 and have significant experience in managing entities which provide venture capital and financing assistance in a manner which is similar to that required of a Missouri certified capital company. No insurance company licensed by or transacting business in Missouri shall, individually or with or through one or more affiliates, be a managing general partner of or control the direction of investments of a Missouri certified capital company. Within seventy- five days of application, the department shall either issue the certification and notify the department of revenue and the director of the department of insurance of such certification or shall refuse the certification and communicate in detail to the applicant the grounds for the refusal, including the suggestions for the removal of those grounds. The department shall be responsible for the administration of the tax credits authorized by sections 135.500 to 135.529.

135.516. 1. To continue to be certified, a Missouri certified capital company shall make qualified investments according to the following schedule:

(1) Within two years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least twenty-five percent of its certified capital shall be, or have been, placed in qualified investments;

(2) Within three years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company at least forty percent of its certified capital shall be, or have been, placed in qualified investments;

(3) Within four years after the date on which a Missouri certified capital company is designated as a Missouri certified capital company, at least fifty percent of its total certified capital shall be, or have been, placed in qualified investments. A Missouri certified capital company may not make an investment in an affiliate of the certified capital company. For the purposes of this subsection, if a legal entity is not an affiliate before a certified capital company initially invests in the entity, it will not be an affiliate if a certified capital company provides additional investment in such entity subsequent to its initial investment;

(4) A certified capital company, at least fifteen days prior to making what it determines to be an initial qualified investment in a specific qualified Missouri business, shall certify to the department that the company in which it proposes to invest meets the definition of a qualified Missouri business pursuant to subdivision (14) of subsection 2 of section 135.500. The certified capital company shall state the amount of capital it intends to invest and the name of the business in which it intends to invest. The certified capital company shall also provide to the

department an explanation of its determination that the business meets the definition of a qualified Missouri business. If the department determines that the business does not meet the definition of a qualified Missouri business, it shall, within the fifteen- day period prior to the making of the proposed investment, notify the certified capital company of its determination and an explanation thereof. If the department fails to notify the certified capital company with respect to the proposed investment within the fifteen-day period prior to the making of the proposed investment, the company in which the certified capital company proposes to invest shall be deemed to be a qualified Missouri business. If a certified capital company fails to notify the department prior to making an initial investment in a business, the department may subsequently determine that the business in which the certified capital company invested was not a qualified Missouri business even though the business, at the time of the investment, met the requirements of subdivision (14) of subsection 2 of section 135.500;

(5) All certified capital which is not required to be placed in qualified investments or which has been placed in qualified investments and can be received by the company, may be held or invested in such manner as the Missouri certified capital company, in its discretion, deems appropriate. The proceeds of all certified capital which is received by a certified capital company after it was originally placed in qualified investments may be placed again in qualified investments and shall count toward any requirement in sections 135.500 to 135.529 with respect to placing certified capital in qualified investments.

2. A certified capital company may make qualified distributions to its equity owners at any time. In order to make distributions other than qualified distributions to the equity owners of a certified capital company, however, a certified capital company must have placed one hundred percent of its certified capital in investments. Distributions or payments to debt holders of a certified capital company, however, may be made without restriction with respect to debt owed to them by a certified capital company. A debt holder that is also an equity holder of a certified capital company may receive distributions or payments with respect to such debt without restriction. Once a certified capital company has placed one hundred percent of its certified capital in qualified investments and has met all other requirements under sections 135.500 to 135.529, it shall no longer be subject to regulation by the department.

3. No qualified investment may be made at a cost to a Missouri certified capital company greater than fifteen percent of the total certified capital under management of the Missouri certified capital company at the time of investment.

4. Documents and other materials submitted by Missouri certified capital companies or by businesses for purposes of the continuance of certification may be deemed "closed records" pursuant to the provisions of section 620.014, RSMo.

5. Each Missouri certified capital company shall report the following to the department:

(1) As soon as practicable after the receipt of certified capital, the name of each investor from which the certified capital was received, the amount of each investor's investment of certified capital and tax credits computed without regard to any limitations under subsection 3 of section 135.503, and the date on which the certified capital was received;

(2) On a quarterly basis, the amount of the Missouri certified capital company's certified capital at the end of the quarter, whether or not the Missouri certified capital company has invested more than fifteen percent of the total certified capital under management in any one company, and all qualified investments that the Missouri certified capital company has made;

(3) Each Missouri certified capital company shall provide annual audited financial statements to the department which include an opinion of an independent certified public accountant to the department within ninety days of the close of the fiscal year. The audit shall address the methods of operation and conduct of the business of the Missouri certified capital company to determine if the Missouri certified capital company is complying with the statutes and program rules and that the funds received by the Missouri certified capital company have been invested as required within the time limits provided by sections 135.500 to 135.529.

135.520. 1. The division of finance of the department of economic development shall conduct an annual review of each Missouri certified capital company to determine if the Missouri certified capital company is abiding by the requirements of certifications, to advise the Missouri certified capital company as to the certification status of its qualified investments and to ensure that no investment has been made in violation of sections 135.500 to 135.529. The cost of the annual review shall be paid by each Missouri certified capital company according to a reasonable fee schedule adopted by the department. The division of finance shall report its findings to the department as soon as practicable following completion of the audit.

2. Any material violation of sections 135.500 to 135.529 shall be grounds for decertification under this section. If the department determines that a company is not in compliance with any requirements for continuing in certification, it shall, by written notice, inform the officers of the company and the board of directors, managers, trustees or general partners that they may be decertified in one hundred twenty days from the date of mailing of the notice, unless they correct the deficiencies and are again in compliance with the requirements for certification.

3. At the end of the one hundred twenty-day grace period, if the Missouri certified capital company is still not in

compliance, the department may send a notice of decertification to the company and to the directors of the department of revenue and department of insurance. Decertification of a Missouri certified capital company prior to the certified capital company meeting all requirements of subdivisions (1) to (3) of subsection 1 of section 135.516 shall cause the recapture of all premium tax credits previously claimed by an investor and the forfeiture of all future credits to be claimed by an investor with respect to its investment in the certified capital company. Decertification of a Missouri certified capital company after it has met all requirements of subdivisions (1) to (3) of subsection 1 of section 135.516 shall cause the forfeiture of premium tax credits for the taxable year of the investor in which the decertification arose and for future taxable years with no recapture of tax credits obtained by an investor with respect to the investor's tax years which ended before the decertification occurred.

135.523. The department may revoke the certification of a Missouri certified capital company if any material representation to the department in connection with the application process proves to have been falsely made or if the application materially violates any requirement established by the department pursuant to sections 135.500 to 135.529.

135.526. All investments for which tax credits are claimed under the provisions of sections 135.500 to 135.529 shall satisfy the conditions of being registered or specifically exempt from registration by provisions or regulations under chapter 409, RSMo.

135.529. 1. The tax credit established pursuant to sections 135.500 to 135.529 may be sold or transferred in accordance with regulations adopted by the department. Any such sale or transfer shall not affect the time schedule for taking the tax credit, as provided in sections 135.500 to 135.529. Any premium tax credits recaptured pursuant to section 135.520 shall be the liability of the taxpayer which actually claimed the credit. In approving the sale or transfer of the credit pursuant to this section, the department may require the transferor or the transferee or both the transferor and the transferee to execute guarantees or post bonds with respect to any potential credit recapture. The department shall make and promulgate emergency rules and regulations consistent with the provisions of sections 135.500 to 135.529 as are necessary or useful to carry out the provisions of sections 135.500 to 135.529, pursuant to section 536.025, RSMo.

2. No rule or portion of a rule promulgated under the authority of sections 135.500 to 135.529 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

3. Every final order, decision, license or other official act of the director pursuant to sections 135.500 to 135.529 is subject to administrative review in accordance with chapter 621, RSMo.

135.600. Sections 135.600 to 135.730 shall be known and may be cited as the "Missouri BIDCO Act".

135.605. As used in sections 135.600 to 135.730, the following terms mean:

(1) "BIDCO", a business and industrial development company licensed pursuant to

sections 135.600 to 135.730;

(2) "Business firm", a person that transacts business on a regular and continual basis, or a person that proposes to transact business on a regular and continual basis;

(3) "Department", the Missouri department of economic development;

(4) "Director", the director of the department of economic development or the director's designee;

(5) "Entity", a general partnership, limited partnership, entity (including not for profit corporations) or limited liability companies;

(6) "License", a license issued pursuant to sections 135.600 to 135.730 authorizing a Missouri entity to transact business as a BIDCO;

(7) "Licensee", a Missouri entity which is licensed pursuant to sections 135.600 to 135.730;

(8) "Person", an individual, proprietorship, joint venture, partnership, trust, business trust, syndicate, association, joint stock company, corporation, cooperative, government, agency of a government or any other organization.

135.610. 1. The director shall administer sections 135.600 to 135.730. The director may issue orders and promulgate rules that, in the opinion of the director, are necessary to execute, enforce and effectuate the purposes of sections 135.600 to 135.730. Any rule promulgated shall be promulgated in accordance with section 536.024, RSMo.

2. Whenever the director issues an order or license, the director may impose conditions that are necessary, in the opinion of the director, to carry out sections 135.600 to 135.730 and the purposes of sections 135.600 to 135.730.

3. Every final order, decision, license or other official act of the director pursuant to sections 135.600 to 135.730 is subject to administrative and judicial review in accordance with chapter 621, RSMo.

4. An application filed with the director pursuant to sections 135.600 to 135.730 shall be in such form and contain such information as the director may require.

135.615. 1. The director may make public or private investigations within or outside this state that the director considers necessary to determine whether to approve an application filed with the director pursuant to sections 135.600 to 135.730, to determine whether a person has violated or is about to violate sections 135.600 to 135.730, to aid in the enforcement of sections 135.600 to 135.730, or to aid in issuing an order or promulgating a rule under sections 135.600 to 135.730.

2. For purposes of an investigation, examination or other proceeding pursuant to sections 135.600 to 135.730, the director may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence and require the production of books, papers, correspondence, memoranda, agreements or other documents or records which the director considers relevant or material to the proceeding.

3. If a person fails to comply with a subpoena issued by the director or to testify with respect to a matter concerning which the person may be lawfully questioned, the circuit court of Cole County, on application of the director, may issue an order requiring the attendance of the person and the giving of testimony or production of evidence.

4. Service of process authorized to be made by the director in connection with a noncriminal proceeding pursuant to sections 135.600 to 135.730 may be made by registered or certified mail.

135.620. The director shall establish annually a schedule of fees sufficient to pay for the department's cost of enforcing the Missouri BIDCO act, sections 135.600 to 135.730. The fees shall be as follows:

(1) For filing an application for a licensee not less than two thousand five hundred dollars or more than eight thousand dollars;

(2) For filing an application for approval to require control of a licensee not less than one thousand two hundred fifty dollars or more than six thousand dollars;

(3) For filing an application for approval for a licensee to merge with another Missouri entity, an application for approval for a licensee to purchase all or substantially all of the business of another person, or an application for approval for a licensee to sell all or substantially all of its business or of the business of any of its offices to another licensee not less than one thousand two hundred fifty dollars or more than six thousand dollars. Two or more applications relating to the same merger, purchase or sale may be filed, for the same fee as for filing a single application;

(4) For annual license renewal, not less than two thousand five hundred dollars or more than eight thousand dollars, payable at a time prescribed by the director. A license renewal fee not paid when due is subject to a late fee of twenty-five dollars for each day the renewal fee is delinquent or one thousand dollars, whichever is less;

(5) For examination of the licensee, not less than forty dollars or more than seventy dollars per hour for each examiner involved in the examination. If the director examines a licensee or a subsidiary of a licensee, within ten days after receiving a statement from the director, the licensee shall pay the fee, plus travel expenses;

(6) A fee for filing an application with the director is nonrefundable and is to be paid at the time the application is filed with the director;

(7) If any fees or penalties provided for in sections 135.600 to 135.730 are not paid when required, the attorney general may maintain an action against the delinquent licensee to recover all fees, together with interest and costs;

(8) A licensee or an affiliate or subsidiary of a licensee that fails to submit a report as required in sections 135.600 to 135.730 shall pay a late fee of twenty-five dollars for each day the report is delinquent or one thousand dollars, whichever is less;

(9) Money collected pursuant to this section shall be transmitted to the director of revenue for deposit in the state treasury to the credit of the department of economic development administrative fund which is created in section 620.015, RSMo, to be used only for the operation of the department.

135.625. 1. A licensee shall make and keep books, accounts and other records in such form and manner as the director may require. Such records shall be kept at such place and shall be preserved for such length of time as the director may require.

2. The director may require by order that a licensee record of any asset in its books and records and the asset's valuation at such time.

3. Not more than ninety days after the close of each calendar year or a longer period if specified by the director, a licensee shall file with the director an audit report containing all of the following:

(1) Financial statements, including a balance sheet, a statement of income or loss, a statement of change in

capital accounts and a statement of changes in financial position or, for a licensee that is a Missouri nonprofit corporation, comparable financial statements for the calendar year prepared at the end of the calendar year, prepared in conjunction with an audit by an independent certified public accountant or an independent public accountant in accordance with generally accepted accounting principles;

(2) A report certificate, or opinion of the independent certified public accountant or independent public accountant who performs the audit, stating that the financial statements were prepared in accordance with generally accepted accounting principals;

(3) Other information that the director may reasonably require.

135.630. 1. If a person other than a licensee makes or keeps the books, accounts or other records of such licensee, sections 135.600 to 135.730 applies to such person with respect to the performance of the services for the licensee and with respect to such books, accounts and other records to the same extent as if such person were the licensee.

2. If a person other than an affiliate or subsidiary of a licensee makes or keeps any of the books, accounts or other records of such affiliate or subsidiary, sections 135.600 to 135.730 applies to such person with respect to such books, accounts and other records to the same extent as if that person were the affiliate or subsidiary.

3. If the director considers it expedient, the director may require any particular licensee to obtain the approval of the director before permitting another person to make or keep any of the books, accounts or other records of the licensee.

135.635. Each licensee, each affiliate of a licensee and each subsidiary of a licensee shall file with the director such reports as required by the director and at such time or times as the director requires. A report pursuant to this section shall be in such form and shall contain such information as the director may require.

135.640. A Missouri entity may apply to the director for licensure as a BIDCO. A person other than a Missouri entity shall not apply for a license.

135.645. 1. After a review of information regarding the directors, officers, partners, managers and controlling persons of the applicant, a review of the applicant's business plan, including at least three years of detailed financial projections and other relevant information, and a review of additional information considered relevant by the director, the director shall approve an application for a license if, and only if, the director determines all of the following:

(1) The applicant has a net worth, or firm financing commitments which demonstrate that the applicant will have a net worth when the applicant begins transacting business as a BIDCO, in liquid form available to provide financing assistance, that is adequate for the applicant to transact business as a BIDCO as determined pursuant to subsection 2 of this section;

(2) Each director, officer, partner, manager and controlling person of the applicant is of good character and sound financial standing; each director, officer, partner and manager of the applicant is competent to perform his or her functions with respect to the applicant; and the directors, officers, partners and managers of the applicant are collectively adequate to manage the

business of the applicant as a BIDCO;

(3) It is reasonable to believe that the applicant, if licensed, will comply with the provisions of sections 135.600 to 135.730;

(4) The applicant has reasonable promise of being a viable ongoing BIDCO and of satisfying the basic objectives of its business plan.

2. In determining if the applicant has a net worth or firm financing commitments adequate to transact business as a BIDCO, the director shall consider the types and variety of financing assistance that the applicant plans to provide; the experience that the directors, officers, partners, managers and controlling persons of the applicant have in providing financing and managerial assistance to business firms; the financial projections and other relevant information from the applicant's business plan; and whether the applicant intends to operate as a profit or nonprofit corporation. Except as otherwise provided in sections 135.600 to 135.730, the director shall require a minimum net worth of one million dollars.

135.650. 1. A person may apply to the director for preliminary approval of an application for a license. Notwithstanding that commitments to invest in the equity of the applicant have not been obtained and that all directors, officers, partners and managers of the applicant have not been identified, the director may grant preliminary approval. In issuing an order granting preliminary approval, the director shall indicate that, for the director to determine that the requirements of section 135.645 are satisfied, final approval is conditioned on review by the director of the applicant's completion of fund raising, including the controlling persons, and review by the director of the completion of the roster of directors, officers, partners and managers. If an application for preliminary approval has been granted, before granting final approval of the application for a license, the director may request an updated balance sheet and such other information considered relevant by the director.

2. If a person files an application under this section, the fee required by section 135.620 is payable at the time the application is filed with the director.

135.655. If the director denies an application pursuant to sections 135.600 to 135.730, the director shall provide the applicant with a written statement explaining the basis for the denial.

135.660. If an application for a license is approved and all conditions precedent to the issuance of that license are fulfilled, the director shall issue a license to the applicant. A licensee shall post the license in a conspicuous place in the licensee's principal office. A license is not transferable or assignable.

135.665. 1. Except as otherwise provided in subsection 2 of this section, a person transacting business in this state, other than a licensee, shall not use a name or title which indicates that the person is a business and industrial development company including, but not limited to, use of the term BIDCO, and shall not otherwise represent that the person is a business and industrial development company or a licensee.

2. Before being issued a license pursuant to sections 135.600 to 135.730, a Missouri entity that proposes to apply for a license or that applies for a license may perform, under a name that indicates that the entity is a business and industrial development entity, the acts necessary to apply for and obtain a license and to otherwise prepare to commence transacting business as a licensee. Such entity shall not represent that it is a licensee until after the license has been issued.

135.670. A licensee shall not misrepresent the meaning or effect of its license.

135.675. A Missouri entity that is licensed under another law of this state or under any

law of the United States may apply for and be issued a license under sections 135.600 to 135.730 unless the transaction of business by that entity as a licensee under another law of this state or a law of the United States would violate sections 135.600 to 135.730 or would be contrary to the purposes of sections 135.600 to 135.730.

135.680. 1. After complying with subsection 2 of this section a licensee may apply to the director to have the director accept the surrender of the licensee's license. If the director determines that the requirements of this section have been satisfied, the director shall approve the application unless in the opinion of the director the purpose of the application is to evade a current or prospective action by the director.

2. Not less than sixty days before filing an application with the director under subsection 1 of this section, a licensee shall notify all of its creditors of its intention to file the application.

135.685. The name of each licensee shall include the term BIDCO. A licensee shall not transact business under any other name.

135.690. 1. Each corporate licensee shall have at least five members of its board of directors, each general partnership licensee shall have at least five general partners, each limited partnership shall have at least five general partners or a corporate general partner that has at least five directors and each limited liability company licensee shall have at least five managers.

2. The manager of each licensee described in subsection 1 of this section shall hold a meeting not less than once each calendar quarter.

135.695. Within thirty days after the death, resignation or removal of a director, officer, partner or manager, the election of a director or manager or the appointment of an officer, or the admission of a partner, the licensee shall notify the director in writing of the event and shall provide any additional information which the director may require.

135.700. 1. A licensee shall maintain not less than one office in this state.

2. A licensee shall post in a conspicuous place at each of its offices a sign which bears the corporate name of the licensee.

3. A licensee shall maintain at each of its offices personnel who are competent to conduct the business of such office.

4. Upon written notice to the director, a licensee may establish, relocate or close an office.

135.705. 1. The business of a licensee shall be the business of providing financial assistance and management assistance to business firms. A licensee shall not engage in a business other than the business of providing financial assistance and management assistance to business firms.

2. In addition to the powers and privileges provided to a licensee by sections 135.600 to 135.730, a licensee has all powers and privileges conferred by its applicable law which are not inconsistent with or limited by sections 135.600 to 135.730. The powers of a licensee include, but are not limited to, all of the following:

(1) To borrow money and otherwise incur indebtedness for its purposes, including issuance of corporate bonds, debentures, notes or other evidence of indebtedness. A licensee's indebtedness may be secured or unsecured, and may involve equity features including, but not limited to, provisions for conversion to stock and

warrants to purchase stock;

(2) To make contracts;

(3) To incur and pay necessary and incidental operating expenses;

(4) To purchase, receive, hold, lease or otherwise acquire, or to sell, convey, mortgage,

lease, pledge or otherwise dispose of real or personal property, together with rights and privileges that are incidental and appurtenant to these transactions of real or personal property, if the real or personal property is for the licensee's use in operating its business or if the real or personal property is acquired by the licensee from time to time in satisfaction of debts or enforcement of obligations;

(5) To make donations for charitable, educational, research or similar purposes;

(6) To implement a reasonable and prudent policy for conserving and investing its money before the money is used to provide financing assistance to business firms or to pay the expenses of the licensee;

(7) To lend money upon such terms and conditions as it deems reasonable.

135.710. 1. A licensee may determine the form and the terms and conditions for financing assistance provided by that licensee to a business firm including, but not limited to, forms such as loans; purchase of debt instruments; straight equity investments such as purchase of common stock or preferred stock; debt with equity features such as warrants to purchase stock, convertible debentures, or receipt of a percent at net income or sales royalty based financing; guaranteeing of debt; or leasing of property. A licensee may purchase securities of a business firm either directly or indirectly through an underwriter. A licensee may participate in the program of the small business administration pursuant to section 7(a) of the Small Business Act, Public Law 85-536, 15 U.S.C. 636(a), or any other government program for which the licensee is eligible and which has as its function the provision or facilitation of financing assistance or management assistance to business firms. If a licensee participates in a program referred to in this subsection, the licensee shall comply with the requirements of such program.

2. Management assistance provided by a licensee to a business firm may encompass both management or technical advice and management or technical services.

3. Financing assistance or management assistance provided by a licensee to a business firm shall be for the business purposes of such business firm.

4. A licensee may exercise the incidental powers that are necessary or convenient to carry on the business of, or are reasonably related to the business of, providing financing assistance and management assistance to business firms.

135.715. 1. A licensee shall transact its business in a safe and sound manner and shall maintain itself in a safe and sound condition.

2. In determining whether a licensee is transacting business in a safe and sound manner or has committed an unsafe or unsound act, the director shall not consider the risk of a provision of financing assistance to a business firm. Unless the director determines that the risk is so great compared with the realistically expected return as to demonstrate gross mismanagement.

3. Subsection 2 of this section does not limit the authority of the director to do any of the following:

(1) Determine that the licensee's financing assistance to a single business firm or a group of affiliated business firms is in violation of subsection 1 of this section or constitutes an unsafe or unsound act, if the amount of that financing assistance is unduly large in relation to the total assets or the total shareholders equity of the licensee;

(2) Require that a licensee maintain a reserve in the amount of anticipated losses;

(3) Require that a licensee have in effect a written financing assistance policy, approved by its board of directors, including credit evaluation and other matters. The director shall not require that a licensee adopt a financing assistance policy that contains standards which prevent the licensee from exercising needed flexibility in evaluating and structuring financing assistance to business firms on a transaction by transaction basis.

135.720. 1. A licensee shall not merge with another entity unless:

(1) If the licensee is the surviving entity, the merger is approved by the director;

(2) If the licensee is a disappearing entity, the surviving entity is a licensee and the merger is approved by the director.

2. A licensee shall not purchase all or substantially all of the business of another person unless the purchase is approved by the director.

3. A licensee shall not sell all or substantially all of its business or the business of any of its offices to another person unless that other person is a licensee and the sale is approved by the director.

4. The director shall approve an application for approval of a merger, purchase or sale, if, and only if, the director determines all of the following:

(1) That the merger, purchase or sale will be safe and sound with respect to the acquiring licensee;

(2) That, upon consummation of the merger, purchase or sale, it is reasonable to believe that the acquiring licensee will comply with sections 135.600 to 135.730;

(3) That the merger, purchase or sale will not have a major detrimental impact on competition in the providing of financial assistance or management assistance to business firms, or if there will be such detrimental impact, merger, purchase or sale is necessary in the interests of the safety and soundness of any of the parties to the merger, purchase or sale, or is otherwise, on balance, in the public interest.

135.725. If in the opinion of the director, a person violates, or there is reasonable cause to believe that a person is about to violate any provision of sections 135.600 to 135.730, the director may bring an action in the name of the people of this state in a circuit court to enjoin the violation or to enforce compliance with sections 135.600 to 135.730. Upon a proper showing, a restraining order, preliminary or permanent injunction, or writ of mandamus shall be granted, and a receiver or a conservator may be appointed for the defendant or the defendant's assets. The court shall not require the director to post a bond in an action brought pursuant to section 135.600 to 135.730.

135.730. A person having custody of any of the books, accounts or other records of a licensee shall not willfully refuse to allow the director, upon request, to inspect or make copies of such books, accounts or other records."; and

Further amend said bill, Page 82, Section B, Line 10 from the top of said page, by deleting the following: "Section 67.641" and inserting in lieu thereof the following: "Sections 67.641, 67.1000, 148.330 and 148.350"; and

Further amend said bill, Page 82, Section B, Line 11 from the top of said page, by deleting the word "eight" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 82, Section B, Line 13 from the top of said page, by inserting after the number "100.296," the numbers "148.330, 148.350,"; and

Further amend said bill, Page 89, Section 100.296, Line 13 from the top of said page, by inserting after all of said line the following:

"148.330. 1. Every such company shall, on or before the first day of March in each year, make a return, verified by the affidavit of its president and secretary, or other authorized officers, to the director of the department of insurance stating the amount of all premiums received on account of policies issued in this state by the company, whether in cash or in notes, during the year ending on the thirty-first day of December, next preceding. Upon receipt of such returns the director of the department of insurance shall verify the same and certify the amount of tax due from the various companies on the basis and at the rates provided in section 148.320, and shall certify the same to the director of revenue together with the amount of the quarterly installments to be made as provided in subsection 2 of this section, on or before the thirtieth day of April of each year.

2. Beginning January 1, 1983, the amount of the tax due for that calendar year and each succeeding calendar year thereafter shall be paid in four approximately equal estimated quarterly installments, and a fifth reconciling installment. The first four installments shall be based upon the tax for the immediately preceding taxable year ending on the thirty-first day of December, next preceding. The quarterly installments shall be made on the first day of March, the first day of June, the first day of September and the first day of December. Immediately after receiving certification from the director of the department of insurance of the amount of tax due from the various companies the director of revenue shall notify and assess each company the amount of taxes on its premiums for the calendar year ending on the thirty-first day of December, next preceding. The director of revenue shall also notify and assess each company the amount of the estimated quarterly installments to be made for the calendar year. If the amount of the actual tax due for any year exceeds the total of the installments made for such year, the balance of the tax due shall be paid on the first day of June of the year following, together with the regular quarterly payment due at that time. If the total amount of the tax actually due is less than the total amount of the installments actually paid, the amount by which the amount paid exceeds the amount due shall be credited against the tax for the following year and deducted from the quarterly installment otherwise due on the first day of June. If the March first quarterly installment made by a company is less than the amount assessed by the director of revenue, the difference will be due on June first, but no interest will accrue to the state on the difference unless the amount paid by the company is less than eighty percent of one-fourth of the total amount of tax assessed by the director of revenue for the immediately preceding taxable year. The state treasurer, upon receiving the moneys paid as a tax upon such premiums to the director of revenue, shall place the moneys to the credit of a fund to be known as "The County Stock Insurance Fund", which is hereby created and established.

3. If the estimated quarterly tax installments are not so paid, the director of revenue shall certify such fact to the

director of the division of insurance who shall thereafter suspend such delinquent company or companies from the further transaction of business in this state until such taxes shall be paid and such companies shall be subject to the provisions of sections 148.410 to 148.461.

4. On or before the first day of September of each year the commissioner of administration shall apportion all moneys in the county stock insurance fund to the general revenue fund of the state, to the county treasurer and to the treasurer of the school district in which the principal office of the company paying the same is located. **All premium tax credits described in sections 135.500 to 135.529, RSMo, shall only reduce the amounts apportioned to the general revenue fund of the state and shall not reduce any moneys apportioned to the treasurer of the school district in which the principal office of the company paying the same is located.** Apportionments shall be made in the same ratio which the rates of levy for the same year for state purposes, for county purposes, and for all school district purposes, bear to each other; provided that any proceeds from such tax for prior years remaining on hand in the hands of the county collector or county treasurer undistributed on the effective date of sections 148.310 to 148.460 and any proceeds of such tax for prior years collected thereafter shall be distributed and paid in accordance with the provisions of such sections. Whenever the word "county" occurs herein it shall be construed to include the city of St. Louis.

148.350. 1. Every such company or association shall, on or before the first day of March in each year, make a return, verified by the affidavit of its president and secretary or other authorized officers, to the director of the department of insurance stating the amount of all premiums received on account of policies issued in this state by such company, whether in cash or in notes, during the year ending on the thirty-first day of December, next preceding. Upon receipt of such returns, the director of the department of insurance shall verify the same and certify the amount of tax due from the various companies on the basis and at the rate provided in section 148.340, and shall certify the same to the director of revenue together with the amount of the quarterly installments to be made as provided in subsection 2 of this section, on or before the thirtieth day of April of each year.

2. Beginning January 1, 1983, the amount of the tax due for that calendar year and each succeeding calendar year thereafter shall be paid in four approximately equal estimated quarterly installments and a fifth reconciling installment. The first four installments shall be based upon the tax assessed for the immediately preceding taxable year ending on the thirty-first day of December, next preceding. The quarterly installment shall be made on the first day of March, the first day of June, the first day of September, and the first day of December. Immediately after receiving from the director of the department of insurance, certification of the amount of tax due from the various companies, the director of revenue shall notify and assess each company the amount of taxes on its premiums for the calendar year ending on the thirty-first day of December, next preceding. The director of revenue shall also notify and assess each company the amount of the estimated quarterly installments to be made for the calendar year. If the amount of the actual tax due for any year exceeds the total of the installments made for such year, the balance of the tax due shall be paid on the first day of June of the following year, together with the regular quarterly installment due at that time. If the total amount of the tax actually due is less than the total amount of the installments actually paid, the amount by which the amount paid exceeds the amount due shall be credited against the tax for the following year and deducted from the quarterly installment otherwise due on the first day of June. If the March first quarterly installment made by a company is less than the amount assessed by the director of revenue, the difference will be due on June first, but no interest will accrue to the state on the difference unless the amount paid by the company is less than eighty percent of one-fourth of the total amount of tax assessed by the director of revenue for the immediately preceding taxable year. If the estimated quarterly tax installments are not so paid, the director of revenue shall certify such fact to the director of the department of insurance who shall thereafter suspend such delinquent company or companies from the further transaction of business in this state until such taxes shall be paid, and such companies shall be subject to the provisions of sections 148.410 to 148.461.

3. Upon receiving such money from the director of revenue, the state treasurer shall receipt one-half thereof into the general revenue fund of the state, and he shall place the remainder of such tax to the credit of a fund to be known as "The County Foreign Insurance Tax Fund", which is hereby created and established. **All premium tax credits described in sections 135.500 to 135.529, RSMo, shall only reduce the amount of moneys received by the general revenue fund of this state and shall not reduce any moneys received by the county foreign insurance tax fund.**".

Representative Marshall (133) raised a point of order that House Amendment No. 2 is a House Substitute and not a true House Amendment.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Scheve moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Rizzo offered House Amendment No. 3.

House Amendment No. 3

AMEND Part I of House Substitute for House Committee Substitute for House Bill No. 1237, In the Title, page 1, line 2, by deleting the figure "620.1023"; and

Further amend said substitute, In the Title, page 1, line 11, by deleting the word "twenty- seven" and inserting in lieu thereof the word "twenty-six"; and

Further amend said substitute, Section A, page 1, line 2, by deleting the figure "620.1023"; and

Further amend said substitute, Section A, page 2, line 1, by deleting the word "eighteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said substitute, Section A, page 2, line 4, by deleting the figure "620.1023"; and

Further amend said substitute, Section 620.1023, pages 78-80, by deleting all of said section from this substitute.

On motion of Representative Rizzo, House Amendment No. 3 was adopted.

Representative Scott offered House Amendment No. 4.

House Amendment No. 4

AMEND Part I of House Substitute for House Committee Substitute for House Bill No. 1237, page 41, section 135.230, subsection 5, line 9, by deleting entire subsection 5 and subsection 6

Representative Scott moved that House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Skaggs offered House Amendment No. 5.

House Amendment No. 5

AMEND Part I of House Substitute for House Committee Substitute for House Bill No. 1237, page 47, section 135.247, line 6, by inserting immediately after the figure "59," the following:

"**and hotels and motels, as defined by SIC 7011,**"

On motion of Representative Skaggs, House Amendment No. 5 was adopted.

Representative Hartzler (124) offered House Amendment No. 6.

House Amendment No. 6

AMEND Part I of House Substitute for House Committee Substitute for House Bill No. 1237, page 30, section 135.207, line 20, by inserting immediately after the word "designation" the following:

(4) "**Any community with a total resident population of less than 15,000 may qualify under the provisions of sections 135.200 to 135.256, if there are at least 1,000 community residents within a proposed enterprise zone.**"; and

Further amend said bill, page 30, section 135.207, line 21, by deleting the figure "**(4)**" and inserting in lieu thereof the figure "**(5)**".

Representative Hartzler (124) moved that House Amendment No. 6 be adopted.

Which motion was defeated by the following vote:

AYES: 065

Alter	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Broach	Brown	Burton	Childers
Cierpiot	Cooper	Edwards-Pavia	Enz	Foster
Froelker	Gaskill	Graham	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Hoppe
Howerton	Kasten	Keeven	Kelley 47	Klumb
Koller	Kreider	Legan	Levin	Linton
Lograsso	Long	Loudon	Marble	Marshall 133
Mitchell	Murphy	Naeger	Nordwald	Oetting
Pouche	Prost	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Sombart	Steen	Summers
Surface	Vogel	Whiteside	Wieland	Williams 159

NOES: 088

Akin	Backer	Barry	Bland	Bonner
Boucher	Bray	Canuteson	Carter	Champion
Chrismer	Clayton	Copeland	Crum 112	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Elliott	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Garnett	Gibbons
Goward	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Heckemeyer	Hickey
Hosmer	Jacob	Kauffman	Kissell	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murray 69	Murray 135	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Pauley	Relford	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Wannenmacher	Wiggins	Williams 121
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Crump 152	Ford	Gunn	Kelly 27
Lakin	Leake	Ribaudo	Ward	

VACANCY: 001

Representative Backer offered House Amendment No. 7.

House Amendment No. 7

AMEND Part I of House Substitute for House Committee Substitute for House Bill No. 1237, Page 30, Section 135.207, Lines 1 and 2, by deleting the bracket before the word "of" and after the word "one".

On motion of Representative Backer, House Amendment No. 7 was adopted.

On motion of Representative Rizzo, **Part I of HS HCS HB 1237, as amended,** was adopted.

Part II of HS HCS HB 1237 was taken up by Representative Rizzo.

Representative Schilling offered House Amendment No. 1.

House Amendment No. 1

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 1237, page 84, section 67.641.2, line 1, by replacing the period with a comma at the end of said line and inserting immediately following the words "and in no event shall any moneys be transferred from the state to any convention and sports complex fund for the development, maintenance or operation of any facility for which state moneys have not been initially appropriated by the 1998 fiscal year."

Representative Legan offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 1237, page 84, line 1, by replacing the period with a comma at the end of said line and inserting immediately following the words "and in no event shall any moneys be transferred from the state to any convention and sports complex fund for the development, maintenance or operation of any facility for which state moneys have not been initially appropriated by July 1, 1998."

Representative Carter suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 002

Cierpiot	Hickey

NOES: 000

PRESENT: 152

Akin	Alter	Backer	Ballard	Barry
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

ABSENT WITH LEAVE: 008

Auer	Barnett 4	Crump 152	Elliott	Ford
Gunn	Ribaudo	Ward		

VACANCY: 001

Representative Legan moved that House Substitute Amendment No. 1 for House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 052

Akin	Bartelsmeyer	Boatright	Bray	Burton
Champion	Childers	Crum 112	Elliott	Enz
Farnen	Fiebelman	Foster	Froelker	Gaskill
Graham	Hegeman	Hohulin	Hosmer	Howerton
Kasten	Kelley 47	Klumb	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 26	Marshall 133	McBride	Mitchell	Montgomery
Murray 135	Naeger	Oetting	Pryor	Richardson
Robirds	Sallee	Schilling	Schwab	Scott
Shields	Smith	Steen	Surface	Thomason 163
Whiteside	Williams 159			

NOES: 103

Alter	Backer	Ballard	Barnett 4	Barry
Bennett 15	Bland	Bonner	Boucher	Brown
Canuteson	Carter	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Evans	Farmer	Fitzwater	Foley	Franklin
Garnett	Gibbons	Goward	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson
Hickey	Hoppe	Jacob	Kauffman	Keeven

Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Liese	Luetkenhaus	Lumpe	May 108
Mays 50	McClelland	McLuckie	Morgan	Murphy
Murray 69	Nordwald	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Ridgeway	Rizzo	Ross
Scheve	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Skaggs	Sombart	Stokan	Stoll
Summers	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer	Broach	Ford	Gunn	Ribaudo
Tate	Ward			

VACANCY: 001

House Amendment No. 1 was withdrawn.

Representative Thompson (37) offered House Amendment No. 1.

House Amendment No. 1

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 1237, page 82, section 67.641, line 15, by deleting the word "three" and inserting in lieu thereof the word "seven"; and

Further amend said bill, page 83, section 67.641, subsection 2, line 21, by deleting the word "three" and inserting in lieu thereof the word "seven"; and

Further amend said bill, page 84, section 67.641, subsection 3, line 6, by deleting the word "three" and inserting in lieu thereof the word "seven"; and

Further amend said bill, page 85, section 67.641, subsection 3, line 4, by deleting the word "three" and inserting in lieu thereof the word "seven".

Representative Thompson (37) moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 007

Bland	Carter	Daniel 42	Days	Murphy
Shelton 57	Thompson 37			

NOES: 145

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Pauley	Pouche	Prost

Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 159	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Ford	Goward	Gunn	Harlan
Loudon	Oetting	Ribaudo	Ward	Williams 121

VACANCY: 001

Representative Kreider offered House Amendment No. 2.

House Amendment No. 2

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 1237, page 84, section 67.641.2, line 1, by replacing the period with a comma at the end of said line and inserting immediately following the words "and any county of the state of Missouri shall be eligible for such convention and/or sports complex funds."

Representative Rizzo offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 1237, page 84, section 67.641, line 1, by replacing the period with a comma at the end of said line and inserting immediately after the words:

"and any county of the state of Missouri shall be eligible for such convention and/or sports complex funds, as long as a local match is provided by the county"

On motion of Representative Rizzo, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted.

Representative Scott offered House Amendment No. 3.

House Amendment No. 3

AMEND Part II of House Substitute for House Committee Substitute for House Bill No. 1237, page 82-85, section 67.641, by removing all brackets and underlined language in said section.

Representative Rizzo raised a point of order that House Amendment No. 3 is amending previously amended material.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Scott moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 062

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Burton	Champion	Childers
Crum 112	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foster	Froelker
Gaskill	Graham	Hartzler 124	Hegeman	Hohulin
Hosmer	Howerton	Kelly 27	Klumb	Legan
Linton	Long	Loudon	Marble	Marshall 26
Marshall 133	McBride	Mitchell	Montgomery	Murphy
Murray 135	Naeger	Nordwald	Prost	Pryor
Richardson	Robirds	Sallee	Schilling	Schwab

Scott	Secrest	Smith	Sombart	Steen
Summers	Surface	Thomason 163	Whiteside	Wieland
Wiggins	Williams 159			

NOES: 089

Backer	Barry	Bennett 15	Bland	Bonner
Boucher	Brown	Canuteson	Carter	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Foley	Franklin	Garnett	Gibbons
Goward	Gratz	Green	Griesheimer	Gross
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Heckemeyer	Hendrickson	Hickey	Hoppe	Jacob
Kauffman	Keeven	Kelley 47	Kissell	Koller
Kreider	Lakin	Levin	Liese	Luetkenhaus
Lumpe	May 108	Mays 50	McClelland	McLuckie
Morgan	Murray 69	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Relford	Reynolds	Rizzo	Ross	Scheve
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Stokan	Stoll	Tate	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Williams 121	Witt	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Bray	Farmer	Ford	Gunn
Kasten	Leake	Lograsso	Ribaudo	Ridgeway

Ward

VACANCY: 001

On motion of Representative Rizzo, **Part II of HS HCS HB 1237, as amended,** was adopted by the following vote:

AYES: 101

Backer	Barry	Bartelsmeyer	Bennett 15	Bonner
Boucher	Bray	Brown	Canuteson	Carter
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Garnett
Gibbons	Goward	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Heckemeyer	Hendrickson	Hickey	Hoppe
Jacob	Kauffman	Keeven	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Levin
Luetkenhaus	Lumpe	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Reynolds	Rizzo	Ross	Scheve
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Sombart	Stokan	Stoll	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 051

Akin	Alter	Ballard	Barnett 4	Boatright
Broach	Burton	Champion	Childers	Edwards-Pavia
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Graham	Hartzler 124	Hegeman	Hohulin
Hosmer	Howerton	Kelly 27	Legan	Liese
Linton	Long	Loudon	Marble	Marshall 26

Marshall 133	Murphy	Murray 135	Naeger	Pryor
Relford	Richardson	Robirds	Sallee	Schilling
Schwab	Scott	Secrest	Smith	Steen
Summers	Surface	Tate	Whiteside	Wieland

Wiggins

PRESENT: 001

Bland

ABSENT WITH LEAVE: 009

Auer	Ford	Gunn	Kasten	Leake
Lograsso	Ribaudo	Ridgeway	Ward	

VACANCY: 001

Part III of HS HCS HB 1237 was taken up by Representative Rizzo.

Representative Harlan offered House Amendment No. 1.

House Amendment No. 1

AMEND Part III of House Substitute for House Committee Substitute for House Bill No. 1237, page 86, section 67.1000, line 21, by inserting after the word "**classification**" the following:

"**or any third class city with a population of at least twelve thousand inhabitants but not more than fifteen thousand inhabitants located in a county of the third classification, which contains a medium security state correctional facility.**

On motion of Representative Harlan, House Amendment No. 1 was adopted.

Representative Sears (1) offered House Amendment No. 2.

House Amendment No. 2

AMEND Part III of House Substitute for House Committee Substitute for House Bill No. 1237, Page 87, Line 17 from the top of said page, by inserting after all of said line the following:

"**Section 1. 1. Except in any city not within a county or any county of the first classification with a charter form of government with a population of nine hundred thousand or more inhabitants or in any county of the first classification with a charter form of government and containing part of a city with a population of three hundred thousand or more inhabitants, the governing body of any county or any municipality may impose, by ordinance or order, a sales tax on all retail sales made in such county or municipality which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525, RSMo, for economic development.**

2. For purposes of this section, the term "economic development is limited to the following:

(1) Operations of economic development or community development offices, including the salary of employees;

(2) Provision of training for job creation or retention;

(3) Provision of infrastructure and site for industrial development or for public infrastructure projects; and

(4) Refurbishing of existing structures and property relating to community development.

3. The maximum rate for a sales tax pursuant to this section shall be as follows:

(1) One-half of one percent for municipalities with a population of three thousand five hundred or less;

(2) One-quarter of one percent for municipalities with a population of not less than three thousand five hundred one and of not more than twenty-five thousand;

(3) One-eighth of one percent for municipalities with a population of not less than twenty- five thousand and one;

(4) One-half of one percent for counties with a population of twenty-five thousand or less;

(5) One-quarter of one percent for counties with a population of not less than twenty-five thousand one and of not more than fifty thousand; or

(6) One-eighth of one percent for counties with a population of not less than fifty thousand and one.

4. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except

that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the county or municipality submits to the voters of the county or municipality, at a regularly scheduled county, municipal or state general or primary election, a proposal to authorize the governing body of the county or municipality to impose a tax. Any sales tax imposed pursuant to this section shall not be authorized for a period of more than five years.

5. Such proposal shall be submitted in substantially the following form:

Shall the (city, town, village or county) of ..... impose a sales tax of ..... (insert amount) for the purpose of economic development in the (city, town, village or county)?

***Yes * No**

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second quarter after the director of revenue receives notice of adoption of the tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall not impose the sales tax authorized in this section until the governing body of the county or municipality resubmits another proposal to authorize the governing body of the county or municipality to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon; however no such proposal shall be resubmitted to the voters sooner than twelve months from the date of the submission of the last such proposal.

6. All revenue received by a county or municipality from the tax authorized pursuant to the provisions of this section shall be deposited in a special trust fund and shall be used solely for economic development purposes within such county or municipality for so long as the tax shall remain in effect.

7. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for economic development purposes within the county or municipality. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other county or municipal funds.

8. All sales taxes collected by the director of revenue pursuant to this section on behalf of any county or municipality, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created, to be known as the "Local Economic Development Sales Tax Trust Fund".9. The moneys in the local economic development sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund and which was collected in each county or municipality imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the county or municipality and the public.

10. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the county or municipality which levied the tax. Such funds shall be deposited with the county treasurer of each such county or the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds arising from the local economic development sales tax trust fund shall be by an appropriation act to be enacted by the governing body of each such county or municipality. Expenditures may be made from the fund for any economic development purposes authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

11. The director of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any county or municipality for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such counties and municipalities.

12. If any county or municipality abolishes the tax, the county or municipality shall notify the director of revenue of the action at least ninety days prior to the effective date of the repeal and the director of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county or municipality, the director of revenue shall remit the balance in the account to the county or municipality and close the account of that county or municipality. The director of revenue shall notify each county or municipality of each instance of any amount refunded or any check redeemed from receipts due the county or municipality.

13. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section."; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Sears (1), House Amendment No. 2 was adopted.

Representative Naeger offered House Amendment No. 3.

House Amendment No. 3

AMEND Part III of House Substitute for House Committee Substitute for House Bill No. 1237, page 87, section 67.1000, Line 17, by inserting immediately after said line the followings:

71.012. 1. Notwithstanding the provisions of sections 71.015 and 71.860 to 71.920, the governing body of any city, town, or village may annex unincorporated areas which are contiguous and compact to the existing corporate limits of the city, town, or village as provided in this section. The term "contiguous and compact" does not include a situation whereby the unincorporated area proposed to be annexed is contiguous to the annexing city, town or village only by a railroad line, trail, pipeline or other strip of real property less than one-quarter mile in width within the city, town or village so that the boundaries of the city, town or village after annexation would leave unincorporated areas between the annexed area and the prior boundaries of the city, town or village connected only by such railroad line, trail, pipeline or other such strip of real property. **Notwithstanding the provisions of this section, the governing body of any city, town, or village in any county of the third classification which borders a county of the fourth classification, a county of the second classification and the Mississippi River may annex areas along a road or highway up to two miles from existing boundaries of the city, town or village**.

2. (1) When a verified petition, requesting annexation and signed by the owners of all fee interests of record in all tracts of real property located within the area proposed to be annexed, is presented to the governing body of the city, town, or village, the governing body shall hold a public hearing concerning the matter not less than fourteen nor more than sixty days after the petition is received, and the hearing shall be held not less than seven days after notice of the hearing is published in newspapers of general circulation qualified to publish legal matters.

(2) At the public hearing any interested person, corporation or political subdivision may present evidence regarding the proposed annexation. If, after holding the hearing, the governing body of the city, town, or village determines that the annexation is reasonable and necessary to the proper development of the city, town, or village, and the city, town, or village has the ability to furnish normal municipal services to the area to be annexed within a reasonable time, it may, subject to the provisions of subdivision (3) of this subsection, annex the territory by ordinance without further action.

(3) If a written objection to the proposed annexation is filed with the governing body of the city, town, or village not later than fourteen days after the public hearing by at least two percent of the qualified voters of the city, town, or village, or two qualified voters of the area sought to be annexed if the same contains two qualified voters, the provisions of sections 71.015

and 71.860 to 71.920, shall be followed.

3. If no objection is filed, the city, town, or village shall extend its limits by ordinance to include such territory, specifying with accuracy the new boundary lines to which the city's, town's, or village's limits are extended. Upon duly enacting such annexation ordinance, the city, town, or village shall cause three certified copies of the same to be filed with the clerk of the county wherein the city, town, or village is located, and one certified copy to be filed with the election authority, if different from the clerk of the county which has jurisdiction over the area being annexed, whereupon the annexation shall be complete and final and thereafter all courts of this state shall take judicial notice of the limits of that city, town, or village as so extended.

On motion of Representative Naeger, House Amendment No. 3 was adopted.

Representative Sears (1) offered House Amendment No. 4.

Representative Rizzo raised a point of order that House Amendment No. 4 is not germane to the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Rizzo, **Part III of HS HCS HB 1237, as amended,** was adopted.

Part IV of HS HCS HB 1237 was taken up by Representative Rizzo.

Representative Long offered House Amendment No. 1.

House Amendment No. 1

AMEND Part IV of House Substitute for House Committee Substitute for House Bill No. 1237, page 89, section 100.296, line 5, by removing the bracket at the beginning of said line and

Further amend said bill, page 89, line 13, by removing the bracket after the word "capacity."

On motion of Representative Long, House Amendment No. 1 was adopted by the following vote:

AYES: 091

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Foster	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Griesheimer	Gross	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Hoppe	Hosmer	Howerton	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
McBride	McClelland	Mitchell	Murphy	Murray 135
Naeger	Nordwald	Oetting	Ostmann	Pauley
Pouche	Pryor	Richardson	Robirds	Ross
Sallee	Schilling	Schwab	Secrest	Shields
Sombart	Steen	Summers	Surface	Treadway
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins

Mr. Speaker

NOES: 062

Backer	Bland	Boucher	Bray	Canuteson
Carter	Clayton	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Green
Hagan-Harrell	Harlan	Heckemeyer	Hickey	Jacob
Kreider	Lakin	Leake	Liese	Lumpe
May 108	Mays 50	McLuckie	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	Overschmidt
Prost	Relford	Reynolds	Rizzo	Scheve
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Stokan	Stoll	Tate	Thomason 163
Thompson 37	Troupe	Van Zandt	Williams 121	Williams 159
Witt	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Copeland	Ford	Gunn	Kasten
Ribaudo	Ridgeway	Scott	Ward	

VACANCY: 001

Representative Tate offered House Amendment No. 2.

House Amendment No. 2

AMEND Part IV of House Substitute for House Committee Substitute for House Bill No. 1237, Page 1, In the Title, Line 3, by inserting after the number "135.405," the numbers "274.030, 274.220, 274.230,"; and

Further amend said bill, Page 1, In the Title, Line 12, by deleting the word "twenty-seven" and inserting in lieu thereof the word "thirty-one"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the number "135.405," the numbers "274.030, 274.220, 274.230,"; and

Further amend said bill, Page 82, Section B, Line 10 from the top of said page, by deleting the word and number "and 67.1000" and inserting in lieu thereof the following: ", 67.1000, 274.030, 274.220 and 274.230"; and

Further amend said bill, Page 82, Section B, Line 11 from the top of said page, by deleting the word "nine" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 82, Section B, Line 13 from the top of said page, by inserting after the number "100.296," the following: "274.030, 274.220, 274.230, 274.310,"; and

Further amend said bill, Page 89, Section 100.296, Line 13 from the top of said page, by inserting after all of said line the following:

"274.030. **1.** Eleven or more persons, **except corporations excluded from engaging in farming pursuant to the provisions of section 350.015, RSMo,** a majority of whom are residents of this state, engaged in the production of agricultural products, may form a nonprofit cooperative association without capital stock, under the provisions of this chapter, for the following purpose or purposes: To engage in any activity in connection with the marketing or selling of the agricultural products of its members or with the harvesting, preserving, drying, processing, canning, packing, grading, storing, handling, shipping or utilization thereof or the manufacturing or marketing of the by-products thereof; or in connection with the manufacturing, selling or supplying to its members of machinery, equipment or supplies; or in the financing of the above enumerated activities; or in any one or more of the activities specified herein.

2. Five or more owners or operators of a family farm or a family farm corporation as those terms are defined in section 350.010, RSMo, all of whom are residents of this state, engaged in the production of agricultural products, may form a nonprofit cooperative association without capital stock, pursuant to the provisions of this chapter, to engage in the production of livestock.

274.220. 1. An association may organize, form, operate, control, have an interest in, or be a member of [any other] **a** corporation or [corporations, without capital stock,] **other entity** and engage in preserving, drying, processing, canning, packing, storing, handling, shipping, utilizing, manufacturing, marketing or selling of the agricultural products handled by the association, or the by-products thereof.

2. If such corporations are warehousing corporations, they may issue legal warehouse receipts to the association against the commodities delivered by it, or to any other person and such legal warehouse receipts shall be considered as adequate collateral to the extent of the usual and current value of the commodity represented thereby.

3. In case such warehouse is licensed or licensed and bonded under the laws of this or any other state or the United States, its warehouse receipt delivered to the association on commodities of the association or its members, or delivered by the association or its members, shall not be challenged or discriminated against because of ownership or control, wholly or in part, by the association.

274.230. Any association may, upon resolution adopted by its board of directors, enter into all necessary and proper contracts, and arrangements with [any other cooperative] **a** corporation, [association or associations, formed in this or in any other state] **person or other entity**, for the [cooperative and] more economical carrying on of its business or any part or parts thereof. Any two or more associations may, by agreement between them, unite in employing and using or may separately employ and use the same personnel, methods, means and agencies for carrying on and conducting their respective business.

274.310. 1. The department of agriculture shall provide assistance to persons engaged in agricultural production in the following areas:

(1) Cooperative marketing of agricultural products;

(2) Cooperative processing of agricultural products;

(3) Development of regional and niche markets for the marketing of agricultural products; and

(4) Dissemination of the most modern information and technology related to agricultural production, processing and marketing.

Such assistance shall have as its primary focus the provision of assistance to small, independent family-owned or operated agricultural producers or processors.

2. An annual report on the activities engaged in, number of persons served and evaluation of project effectiveness shall be submitted by the department of agriculture to the general assembly, no later than December 1, 1996, and each year thereafter by December first.".

Representative Leake offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND Part IV of House Substitute for House Committee Substitute for House Bill No. 1237, Page 1, In the Title, Line 3, by inserting after the number "135.405," the numbers "274.030, 274.220, 274.230,"; and

Further amend said bill, Page 1, In the Title, Line 12, by deleting the word "twenty-seven" and inserting in lieu thereof the word "thirty-one"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the number "135.405," the numbers "274.030, 274.220, 274.230,"; and

Further amend said bill, Page 82, Section B, Line 10 from the top of said page, by deleting the word and number "and 67.1000" and inserting in lieu thereof the following: ", 67.1000, 274.030, 274.220 and 274.230"; and

Further amend said bill, Page 82, Section B, Line 11 from the top of said page, by deleting the word "nine" and inserting in lieu thereof the word "thirteen"; and

Further amend said bill, Page 82, Section B, Line 13 from the top of said page, by inserting after the number "100.296," the following: "274.030, 274.220, 274.230, 274.310,"; and

Further amend said bill, Page 89, Section 100.296, Line 13 from the top of said page, by inserting after all of said line the following:

"274.030. **1.** Eleven or more persons, **except corporations excluded from engaging in farming pursuant to the provisions of section 350.015, RSMo,** a majority of whom are residentsengaging in of this state, engaged in the production of agricultural products, may form a nonprofitientsengaging in cooperative association without capital stock, under the provisions of this chapter, for theentsengaging in following purpose or purposes: To engage in any activity in connection with the marketing orentsengaging in selling of the agricultural products of its members or with the harvesting, preserving,entsengaging in drying, processing, canning, packing, grading, storing, handling, shipping or utilizationnentsengaging in thereof or the manufacturing or marketing of the by-products thereof; or in connection withentsengaging in the manufacturing, selling or supplying to its members of machinery, equipment or supplies; or in the financing of the above enumerated activities; or in any one or more of the activities specified herein.

2. Five or more owners or operators of a family farm or a family farm corporations those terms are defined in section 350.010, RSMo, all of whom are residents of this state, engaged in the production of agricultural products, may form a nonprofit cooperative association without capital stock, pursuant to the provisions of this chapter, to engage in the production of livestock.

274.220. 1. An association may organize, form, operate, control, have an interest in, or be a member of [any other] **a** corporation or [corporations, without capital stock,] **other entity** and engage in preserving, drying, processing, canning, packing, storing, handling, shipping, utilizing, manufacturing, marketing or selling of the agricultural products handled by the association, or the by-products thereof.

2. If such corporations are warehousing corporations, they may issue legal warehouse receipts to the association against the commodities delivered by it, or to any other person and such legal warehouse receipts shall be considered as adequate collateral to the extent of the usual and current value of the commodity represented thereby.

3. In case such warehouse is licensed or licensed and bonded under the laws of this or any other state or the United States, its warehouse receipt delivered to the association on commodities of the association or its members, or delivered by the association or its members, shall not be challenged or discriminated against because of ownership or control, wholly or in part, by the association.

274.230. Any association may, upon resolution adopted by its board of directors, enter into all necessary and proper contracts, and arrangements with any other cooperative**,** corporation, [association or associations, formed in this or in any other state] **person or other entity**, for the [cooperative and] more economical carrying on of its business or any part or parts thereof. Any two or more associations may, by agreement between them, unite in employing and using or may separately employ and use the same personnel, methods, means and agencies for carrying on and conducting their respective business.

274.310. 1. The department of agriculture shall provide assistance to persons engaged in agricultural production in the following areas:

(1) Cooperative marketing of agricultural products;

(2) Cooperative processing of agricultural products;

(3) Development of regional and niche markets for the marketing of agricultural products; and

(4) Dissemination of the most modern information and technology related to agricultural production, processing and marketing.

Such assistance shall have as its primary focus the provision of assistance to small, independent family-owned or operated agricultural producers or processors.

2. An annual report on the activities engaged in, number of persons served and evaluation of project effectiveness shall be submitted by the department of agriculture to the general assembly, no later than

December 1, 1996, and each year thereafter by December first.".

On motion of Representative Leake, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted.

HCS HB 1237, with Part I, as amended, Part II, as amended, Part III, as amended, adopted, Part IV, as amended and Part V of HS, pending, was laid over.

The Speaker resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with a like committee from the Senate on the following bills:

SCS HCS HB 1002: Representatives Lumpe, Lakin, Franklin, Childers and Kauffman
SCS HCS HB 1003: Representatives Lumpe, Lakin, Franklin, Childers and Kauffman
SCS HCS HB 1004: Representatives Lumpe, Lakin, Green, Wannenmacher and Legan
SCS HCS HB 1005: Representatives Lumpe, Lakin, Green, Wannenmacher and Wooten
SCS HCS HB 1006: Representatives Lumpe, Lakin, Tate, Cooper and Graham
SCS HCS HB 1007: Representatives Lumpe, Lakin, Tate, Cooper and McClelland
SCS HCS HB 1008: Representatives Lumpe, Lakin, Franklin, Childers and Kauffman
SCS HCS HB 1009: Representatives Lumpe, Lakin, Troupe, Kelley (47) and Murray (135)
SCS HCS HB 1010: Representatives Lumpe, Lakin, Carter, Donovan and Shields
SCS HCS HB 1011: Representatives Lumpe, Lakin, Troupe, Kelley (47) and Murray (135)
SCS HCS HB 1012: Representatives Lumpe, Lakin, Green, Kauffman and Legan

Representative Smith resumed the Chair.

COMMITTEE REPORTS

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1331**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **HB 1638**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 491**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 491, Page 2, Section 578.012, Line 14, by deleting the opening bracket "[" immediately before the number "3"; and

Further amend said bill, Page 2, Section 578.012, Line 15, by deleting the closing bracket "]" immediately after the word "mammal.".

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 527**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 830**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 835**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 850**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Education - Higher, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **SCS SB 694**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Judiciary and Ethics, Chairman May (108) reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SCS SB 668**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill 668, Page 1, Section 302.225, Line 11, by inserting after the word "**violation**" the following:

"**or any violation where no points are to be assessed pursuant to section 302.302**".

Committee on Municipal Corporations, Chairman Shelton reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SB 811**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SB 900**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1645, introduced by Representative Evans, et al, relating to income taxation.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 25**.

SENATE CONCURRENT RESOLUTION NO. 25

WHEREAS, the salaries of probation and parole officers do not reflect the value of their services or education to the State of Missouri; and

WHEREAS, the safety of probation and parole officers is being placed in jeopardy because of an increasing caseload, a greater number of violent offenders and inadequate equipment; and

WHEREAS, the turnover rate of probation and parole officers is significantly higher than the turnover rate of other corrections officers;

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri Senate of the 88th General Assembly, the House of Representatives concurring therein, that a joint interim committee be appointed to study the salary structure, safety, retention, case management and other related issues involving probation and parole offices and report its findings and recommendations to the General Assembly no later than December 15, 1996.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 759**, entitled:

An act to repeal sections 375.1250, 375.1252, 375.1255, 375.1257, 375.1260, 375.1262, 375.1265, 375.1267, 375.1269, 375.1270 and 375.1275, RSMo 1994, relating to risk-based capital requirements for insurers, and to enact eleven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 777**, entitled:

An act relating to court costs.

In which the concurrence of the House is respectfully requested.

COMMUNICATIONS

April 10, 1996

Honorable Steve Gaw

Speaker, Missouri House of Representatives

State Capitol Building

Jefferson City, MO

Dear Mr. Speaker:

We, the undersigned members of the Missouri House of Representatives, find **H.B. 1551** to be of a controversial nature and request that it be removed from the Consent Calendar.

/s/ Bubs Hohulin

/s/ Jim Howerton

/s/ Jess Garnett

/s/ Paul Wieland

/s/ Greg Canuteson

April 10, 1996

Chief Clerk, Doug Burnett

Dear Doug,

We the undersigned find **HB 1582** of controversial nature and request the bill be removed from the House Consent Calendar.

/s/ Gracia Y. Backer

/s/ Paula J. Carter

/s/ Marilyn Williams

/s/ Cindy Ostmann

/s/ Carson Ross

April 10, 1996

The Honorable Steve Gaw

Speaker of the House

State Capitol, House Post Office

Jefferson City, MO 65101

Dear Mr. Speaker:

We, the undersigned, believe **House Bill 1612** to be of such a controversial nature that it should be removed from the Consent Calendar.

/s/ John Hickey

/s/ Jim O'Toole

/s/ Tim Harlan

/s/ Philip Wannenmacher

/s/ Brent Evans

Fifty-fourth Day-Wednesday, April 10, 1996

April 10, 1996

The Honorable Gracia Backer, Chairman

House Rules Committee

State Capitol

Jefferson City, MO 65101

Dear Gracia:

We, the undersigned, hereby request that House Bill 1634, be removed from the House Consent Calendar.

Thank you for this consideration.

/s/Joseph Treadway

/s/Don Kissell

/s/Stephen Stoll

/s/Emmy McClelland

/s/Mary C. Kasten

The following members' presence were noted: Ward, Auer and Gunn.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 11, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-Third Day, Tuesday, April 9, 1996, page 18, line 16, by inserting in front of the letters "SB", the letters "SCS".

Pages 3 and 4, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representative Farmer voting "no" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representatives Luetkenhaus and Liese voting "aye" rather than "absent with leave".

Pages 9 and 10, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, April 11, 1996, 9:00 am. Hearing Room 9. Executive session on

previously heard bills.

Fifty-fourth Day-Wednesday, April 10, 1996

COMMERCE

Thursday, April 11, 1996, 8:30 am. Hearing Rooms 1 & 2. Executive session may follow.

To be considered - HR 716, SB 640

CORRECTIONAL & STATE INSTITUTIONS

Thursday, April 11, 1996. Side gallery upon morning adjournment.

Executive Session

FEES AND SALARIES

Monday, April 15, 1996, 1:30 pm. Hearing Room 1. Executive session.

To be considered - SB 802

LOCAL GOVERNMENT AND RELATED MATTERS

Thursday, April 11, 1996. Side gallery upon adjournment. Executive session.

PUBLIC HEALTH AND SAFETY

Tuesday, April 16, 1996. Hearing Room 9 upon morning adjournment.

Executive session to follow.

To be considered - SB 703, SB 916

RULES, JOINT RULES, BILLS PERFECTED AND PRINTED

Thursday, April 11, 1996, 8:30 am. Hearing Room 8.

To be considered - HB 1551, HB 1634, HB 1612, HB 1582

TRAVEL COMMITTEE

Thursday, April 11, 1996, 8:30 am. Hearing Room 5.

WAYS AND MEANS

Thursday, April 11, 1996. Side gallery upon morning adjournment.

Executive Session

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Thursday, April 11, 1996, 9:00 am. Side gallery. Executive session to follow.

To be considered - SB 855

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 15, 1996, 8:00 pm. Hearing Room 5. Executive session possible. Amended

To be considered - SJR 31, SB 868

Fifty-fourth Day-Wednesday, April 10, 1996

HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 11, 1996

HOUSE BILLS FOR SECOND READING

HB 1645

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1186, with HS, as amended, pending - Hoppe
3 HCS HB 1237, with Part I, as amended, Part II, as amended, Part III, as amended, Part IV, amended & Part V, pending - Rizzo
4 HB 1241 - Witt
5 HCS HB 1185 - McClelland
6 HB 839 - Luetkenhaus
7 HB 1411 - Loudon
8 HCS HB 1149,1150 & 1240 - Jacob
9 HCS HB 894 - Bray
10 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
11 HB 1380 - Lumpe
12 HCS HB 1557 & 1489 - Days
13 HCS HB 987, 1155, 1158 & 1219 - Jacob
14 HCS HB 1403 - Dougherty
15 HB 1247 - Shelton (57)
16 HCS HB 1588 - Overschmidt
17 HB 944, HCA 1 - Smith
18 HB 1154 - Murray (69)
19 HCS HB 1540 - Green
20 HB 993 - Williams (121)
21 HB 854 - Bland
22 HB 1312 - Tate
23 HCS HB 843 - Daniels (41)
24 HB 1133 - Witt
25 HB 855 - Bland
26 HCS HB 830 & 1082 - Carter
27 HB 1228, HCA 1 - Harlan
28 HB 1279 - Tate
29 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
30 HCS HB 829 & 1254 - May (108)
31 HB 1414, HCA 1 - Smith
32 HCS HB 960 - Rizzo
33 HB 1436, HCA 1 - Dougherty
34 HB 1399, HCA 1 - Leake
35 HCS HB 1112 - Koller
36 HCS HB 1204 - Wiggins
37 HB 816, HCA 1 - Backer
38 HCS HB 961 - Boucher
39 HB 1535 - Kissell
40 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
41 HCS HB 1429 - Liese
42 HCS HB 1143 - Witt

43 HB 856, HCA 1 - Bland
44 HB 1310 - Tate
45 HCS HB 1175, 1120 & 797 - Gratz
46 HCS HB 912 & 1108 - Treadway
47 HB 1579, HCA 1 - Skaggs
48 HB 1562 - Witt
49 HCS HB 1374 - Scheve
50 HB 801, HCA 1 - Schilling
51 HB 1443, HCA 1, HCA 2 - Prost
52 HB 1289 - Liese
53 HCS HB 1278 & 1277 - May (108)
54 HB 1590, HCA 1 - Harlan
55 HB 1145 - Shear (83)
56 HCS HB 1115 - Montgomery
57 HCS HB 1206 & 1484 - Hosmer
58 HB 1575 - Loudon
59 HB 1180 - Williams (159)
60 HB 1080, HCA 1 - Troupe
61 HCS HB 1430 & 1165 - Hosmer
62 HCS HB 1000 - Treadway
63 HCS HB 840 & 841 - Luetkenhaus
64 HB 833, HCA 1 - Dougherty
65 HCS HB 1465 - Hoppe
66 HB 1245 - Farmer
67 HCS HB 867, 893 & 1401 - Morgan
68 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HJR 42 - Hosmer

HJR 49 - Tate

HJR 58 - Lumpe

HOUSE BILLS FOR THIRD READING

HCS HB 1249 - O'Toole

HB 782, (Budget Fiscal 3-20-96) - Stokan

HCS HB 1372, (Budget Fiscal 4-3-96) - Mays (50)

HS HCS HB 1320, 981, 1042, 1109 & 1250, (Budget Fiscal 4-9-96) - O'Connor

HS HB 852, (Budget Fiscal 4-9-96) - Canuteson

HS HCS HB 1174 & 1309 - May (108)

SENATE BILLS FOR SECOND READING

SCS SB 759

SCS SB 777

BILLS IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HOUSE CONCURRENT RESOLUTIONS

HCR 10, (4-3-96 pgs. 13 & 14) - Rizzo

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HCR 11, (4-4-96 pgs. 3 & 4) - Marble

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 347, (3-28-96, pgs.11 & 12) - Prost

COURTESY RESOLUTIONS

HR 723 - McClelland

HR 724 - Mays (50)

HR 725 - Mitchell

HR 726 - Akin

HR 728 - Hartzler (124)

HR 729 - Williams (121)

HR 730 - Ross

HR 731 - Ross

HR 732 - Ross

HR 733 - Backer

HR 734 - Backer

HR 735 - Shear (83)

HR 736 - Ridgeway

HR 737 - Ridgeway

HR 738 - Ridgeway

HR 739 - Ridgeway

HR 740 - Richardson

HR 741 - Richardson

HR 742 - Richardson

HR 744 - Hartzler (124)

HR 745 - Boucher

HR 746 - Boucher

HR 747 - Murray (135)

HR 748 - Copeland

HR 749 - Copeland

HR 750 - Copeland

HR 751 - Ross

HR 752 - Howerton

HR 753 - Alter

HR 754 - Clayton

HR 755 - Clayton

HR 756 - Gross

HR 757 - Gross

HR 758 - Gross

HR 759 - Gross

HR 760 - Gross

HR 761 - Gross

HR 762 - Gross

HR 763 - Gross

HR 764 - Richardson

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 -

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-FIFTH DAY, Thursday, April 11, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"But they who wait for the Lord shall renew their strength, they shall mount up with wings like eagles, they shall run and not be weary, they shall walk and not faint." (Isaiah 40:31, RSV)

Out of all our doubts and out from our cares, we come to you today, O God of light and life. In the midst of the chaos in the world, we pause for these few brief moments to calm our spirits and to refresh our souls in your presence.

Help us today to be conscientious and honest in our work, that nothing we do may be less than our best.

Help us to make of this life what you intended it to be for each of us as unique and wonderful creations.

Give us, O Lord, humble, quiet, peaceable, patient and charitable spirits as we deal with those around us -- those with whom we disagree; those whose ideas are different and not like ours; those whose agendas carry a different purpose than ours -- in all our differences, help us to respect each other as your creations.

Gracious God, those who work within these walls do so out of a concern for this state and its people. Give them a passion to see justice done in all areas. Give them courage to accomplish the difficult tasks at hand, and make them leaders whose only master is their conscience and who take a little time to talk to you before they talk to each other. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Angela Cleary, Logan Waterworth, Jake Cox, Carianne Bohall, Michael Pridemore, Tara Ford, Whitney Sibley, Maryam Fouad, Curtis Ramsey, Lynn Weiseman, Kelsey Terry, Marcus Meoli, Johnston Hager, Kristen Daymen, Andrea Gulley, Toni Schlapprizzi, Jennifer Holm and D.D. Hodges.

The Journal of the fifty-fourth day was approved as corrected.

RESOLUTIONS

Representative Marshall (26) offered House Resolution Nos. 765 through 767, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Keeven offered House Resolution No. 768, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Franklin offered House Resolution No. 769, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution Nos. 770 and 771, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 772, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 773, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Luetkenhaus offered House Resolution No. 774.

Representative O'Connor offered House Resolution No. 775, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Wooten offered House Resolution No. 776, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 723 through 726, House Resolution Nos. 728 through 742 and House Resolution Nos. 744 through 764 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 723 through 726, House Resolution Nos. 728 through 742 and House Resolution Nos. 744 through 764 were adopted.

SECOND READING OF HOUSE BILL

HB 1645 was read the second time.

SECOND READING OF SENATE BILLS

SCS SB 759 and **SCS SB 777** were read the second time.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HB 852 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS HB 1372 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HJR 42, HJR 49, HJR 58 and HS HCS HB 1174 and 1309**, begs leave to report that it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct**.**

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1551, HB 1582 and HB 1612**, begs leave to report that it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct**.**

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1551**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the Committee of origin to place said bill on the House Consent Calendar for Third Reading and Final Passage**.**

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1582**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the Committee of origin to place said bill on the House Consent Calendar for Third Reading and Final Passage**.**

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1612**, begs leave to report it has examined the same and pursuant to Rule 48 concurs in the report of the Committee of origin to place said bill on the House Consent Calendar for Third Reading and Final Passage**.**

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1634**, begs leave to report that it be returned to the committee of origin**.**

SUPPLEMENTAL CALENDAR

April 11, 1996

HOUSE BILLS FOR THIRD READING - CONSENT

HB 1582 - Witt

HB 1612 - May (108)

HB 1551 - Prost

The Speaker assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HB 1249, relating to St. Louis police retirement, was taken up by Representative O'Toole.

On motion of Representative O'Toole, **HCS HB 1249** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Gaskill	Gibbons	Goward	Graham	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 010

Froelker	Garnett	Gratz	Hegeman	Hohulin
Murray 135	Shelton 57	Shields	Thompson 37	Troupe

PRESENT: 000

ABSENT WITH LEAVE: 004

Ford	Kasten	Ribaudo	Wiggins

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

HCS HB 1372, relating to utilicare, was taken up by Representative Mays (50).

On motion of Representative Mays (50), **HCS HB 1372** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 006

Ford	Kasten	Reynolds	Ribaudo	Richardson

Wiggins

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Ward moved that motion lay on the table.

The latter motion prevailed.

HS HB 852, relating to lobbyists expenditures, was taken up by Representative Canuteson.

On motion of Representative Canuteson, **HS HB 852** was read the third time and passed by the following vote:

AYES: 113

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Boatright	Bonner	Boucher
Bray	Broach	Brown	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Cooper
Crum 112	Crump 152	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Foley	Foster	Franklin
Froelker	Gaskill	Gibbons	Graham	Gross
Hall	Harlan	Hartzler 124	Heckemeyer	Hegeman

Hendrickson	Hoppe	Hosmer	Howerton	Jacob
Keeven	Kelley 47	Kissell	Klumb	Koller
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Naeger	Nordwald	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Pryor
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Smith	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Wieland	Williams 159	Mr. Speaker		

NOES: 042

Auer	Bennett 15	Bland	Carter	Clayton
Copeland	Daniel 42	Daniels 41	Davis	Fitzwater
Garnett	Goward	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hartzler 123	Hickey	Hohulin
Kauffman	Kreider	Marshall 133	Murray 69	Murray 135
O'Connor	O'Neill	Pauley	Prost	Reynolds
Sallee	Sears 1	Shelton 57	Sombart	Thompson 37
Troupe	Vogel	Ward	Whiteside	Williams 121
Witt	Wooten			

PRESENT: 003

Hand	Kelly 27	Wannenmacher

ABSENT WITH LEAVE: 004

Ford	Kasten	Ribaudo	Wiggins

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Tate, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1174 and 1309, relating to towing of motor vehicles, was taken up by Representative May (108).

On motion of Representative May (108), **HS HCS HBs 1174 and 1309** was read the third time and passed by the following vote:

AYES: 109

Auer	Backer	Barry	Bennett 15	Bland
Boucher	Bray	Brown	Burton	Canuteson
Carter	Champion	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Farmer	Farnen
Fitzwater	Foley	Foster	Franklin	Garnett
Gibbons	Goward	Gratz	Green	Gunn
Hagan-Harrell 124	Hand	Harlan	Hartzler 123	Hartzler
Heckemeyer	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Morgan	Murray 69	Murray 135	Nordwald	O'Connor
O'Neill	O'Toole	Ostmann	Overschmidt	Pauley
Prost	Relford	Reynolds	Rizzo	Sallee

Scheve	Schilling	Scott	Sears 1	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 048

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Bonner	Broach	Childers	Chrismer
Cierpiot	Crump 152	Elliott	Enz	Evans
Fiebelman	Froelker	Gaskill	Graham	Griesheimer
Gross	Hall	Hegeman	Hohulin	Kreider
Linton	Lograsso	Loudon	Marble	Montgomery
Murphy	Naeger	Oetting	Pouche	Pryor
Richardson	Robirds	Ross	Schwab	Secrest
Shields	Sombart	Steen	Summers	Surface
Whiteside	Wieland	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford	Kasten	Ribaudo	Ridgeway	Wiggins

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Clayton moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Daniels resumed the Chair.

THIRD READING OF HOUSE JOINT RESOLUTIONS

HJR 42, relating to distribution of forfeiture proceeds, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HJR 42** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross

Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 006

Gunn	Loudon	Marshall 26	Shelton 57	Treadway

Troupe

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford	Kasten	Ribaudo	Ward	Wiggins

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Fiebelman, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

HJR 49, relating to water control bonds, was taken up by Representative Tate.

On motion of Representative Tate, **HJR 49** was read the third time and passed by the following vote:

AYES: 145

Alter	Backer	Ballard	Barnett 4	Barry
Bennett 15	Bland	Boatright	Bonner	Bray
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Franklin
Froelker	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kauffman	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 008

Akin	Bartelsmeyer	Foster	Garnett	Hall
Hohulin	Lograsso	Murphy		

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Boucher	Ford	Hagan-Harrell	Kasten
Keeven	Ribaudo	Ward	Wiggins	

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

HJR 58, relating to budget stabilization fund, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **HJR 58** was read the third time and passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Kasten	Keeven	Pryor	Ribaudo
Thompson 37	Ward	Wiggins		

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILLS - CONSENT

HB 1582, relating to income tax, was taken up by Representative Witt.

On motion of Representative Witt, **HB 1582** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Kasten	Keeven	Ribaudo	Thompson 37
Ward	Wiggins			

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Hagan-Harrell moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

HB 1612, relating to music royalties, was taken up by Representative May (108).

Representative May (108) moved that **HB 1612** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 047

Auer	Bland	Bonner	Boucher	Bray
Carter	Champion	Clayton	Davis	Days
Donovan	Dougherty	Farmer	Farnen	Green
Griesheimer	Harlan	Hartzler 123	Hickey	Hoppe
Hosmer	Jacob	Kauffman	Kissell	Klumb
Kreider	Lakin	Luetkenhaus	Lumpe	May 108
McLuckie	Morgan	Murray 69	O'Connor	O'Toole
Overschmidt	Pryor	Rizzo	Scheve	Schilling
Shear 83	Shelton 57	Smith	Stokan	Van Zandt
Williams 121	Witt			

NOES: 097

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Brown
Childers	Chrismer	Cierpiot	Copeland	Crum 112
Edwards-Pavia	Elliott	Enz	Evans	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Gross	Hagan-Harrell	Hall	Hand
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Howerton	Kelley 47	Kelly 27	Koller	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Marble	Marshall 26	Marshall 133
Mays 50	McBride	McClelland	Mitchell	Montgomery
Murphy	Murray 135	Naeger	Nordwald	O'Neill
Oetting	Ostmann	Pauley	Pouche	Prost
Relford	Reynolds	Richardson	Ridgeway	Robirds
Sallee	Schwab	Scott	Sears 1	Secrest
Sheldon 104	Shields	Skaggs	Sombart	Steen
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 018

Broach	Burton	Canuteson	Cooper	Crump 152
Daniel 42	Daniels 41	Ford	Gunn	Kasten
Keeven	Ribaudo	Ross	Thompson 37	Troupe
Ward	Wiggins	Mr. Speaker		

VACANCY: 001

HB 1551, relating to telephone hearings for DWI cases, was taken up by Representative Prost.

On motion of Representative Prost, **HB 1551** was read the third time and passed by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Gross
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve

Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 002

Goward	Harlan

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Daniel 42	Daniels 41	Ford	Griesheimer
Gunn	Kasten	Keeven	Nordwald	Ribaudo
Richardson	Stoll	Thompson 37	Troupe	Ward

Wiggins

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Garnett, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Pauley moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

PERFECTION OF HOUSE BILL

HCS HB 1186, with HS, as amended, pending, relating to ambulance services, was again taken up by Representative Hoppe.

Representative Gross, having voted on the prevailing side, moved that the vote by which House Amendment No. 2 was adopted be reconsidered.

Which motion was adopted by the following vote:

AYES: 090

Akin	Alter	Backer	Barry	Bland
Bonner	Boucher	Broach	Brown	Canuteson
Carter	Chrismer	Clayton	Cooper	Crum 112
Crump 152	Daniel 42	Davis	Days	Donovan
Edwards-Pavia	Enz	Evans	Farnen	Fitzwater
Foley	Franklin	Froelker	Gaskill	Goward
Green	Griesheimer	Gross	Hall	Harlan
Hartzler 123	Hartzler 124	Hickey	Hoppe	Jacob
Kauffman	Kelley 47	Kissell	Klumb	Kreider
Lakin	Levin	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Mays 50	McClelland
McLuckie	Mitchell	Morgan	Murphy	Murray 69
Murray 135	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pryor	Relford
Reynolds	Rizzo	Ross	Schilling	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Skaggs
Stokan	Stoll	Summers	Tate	Thompson 37
Treadway	Troupe	Wieland	Williams 121	Mr. Speaker

NOES: 060

Ballard	Barnett 4	Bartelsmeyer	Bennett 15	Boatright
Bray	Burton	Champion	Childers	Copeland
Dougherty	Elliott	Farmer	Fiebelman	Foster

Garnett	Gibbons	Graham	Gratz	Hagan-Harrell
Hand	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hosmer	Howerton	Kelly 27	Koller	Leake
Legan	Marble	Marshall 26	Marshall 133	May 108
McBride	Montgomery	Naeger	Nordwald	Pouche
Prost	Richardson	Ridgeway	Robirds	Sallee
Scheve	Schwab	Scott	Smith	Sombart
Steen	Surface	Thomason 163	Van Zandt	Vogel
Wannenmacher	Whiteside	Williams 159	Witt	Wooten

PRESENT: 001

Shields

ABSENT WITH LEAVE: 011

Auer	Cierpiot	Daniels 41	Ford	Gunn
Kasten	Keeven	Liese	Ribaudo	Ward

Wiggins

VACANCY: 001

House Amendment No. 2 was again taken up by Representative Copeland.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill 1186, page 29, section 190.113, line 22, by inserting immediately after said line the following:

"9. The provisions of this section shall not apply to any ambulance service in existence on August 28, 1996 and no local protocols or standards shall infringe on a person's right to choose an ambulance service."

Representative Copeland requested a division of the question.

House Amendment No. 2

Part I

AMEND House Substitute for House Committee Substitute for House Bill 1186, page 29, section 190.113, line 22, by inserting immediately after said line the following:

"9. The provisions of this section shall not apply to any ambulance service in existence on August 28, 1996

House Amendment No. 2

Part II

AMEND House Substitute for House Committee Substitute for House Bill 1186, page 29, section 190.113, line 22, by inserting immediately after said line the following:

"9. and no local protocols or standards shall infringe on a person's right to choose an ambulance service."

Representative Hoppe offered House Substitute Amendment No. 1 for Part I of House Amendment No. 2.

House Substitute Amendment No. 1 for Part I of House Amendment No. 2 was withdrawn.

Representative Hoppe offered House Substitute Amendment No. 1 for Part I of House Amendment No. 2.

House Substitute Amendment No. 1 for Part I of House Amendment No. 2 was withdrawn.

Representative Hosmer offered House Substitute Amendment No. 1 for Part I of House Amendment No. 2.

House Substitute Amendment No. 1

for

Part I

of

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill 1186, page 29, section 190.113, line 22, by inserting immediately after the word "responsibility" the following:

9. The provisions of section 190.113 shall apply only to political subdivisions located within counties of the first classification with a charter form of government.

HCS HB 1186, with House Substitute Amendment No. 1 for Part I of House Amendment No. 2, Part I of House Amendment No. 2, Part II of House Amendment No. 2, House Amendment No. 2, and HS, as amended, pending, was laid over.

RE-APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker re-appointed the following Conference Committees to act with a like committee from the Senate on the following bills:

SCS HCS HB 1004: Representatives Lumpe, Lakin, Green, Legan and Vogel
SCS HCS HB 1005: Representatives Lumpe, Lakin, Green, Vogel and Wooten

COMMITTEE REPORTS

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 657**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 929**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **HR 716**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE RESOLUTION NO. 716

Whereas, Japan is one of Missouri's largest international trading partners; and

Whereas, the Missouri State Government operates a trade office in Tokyo; and

Whereas, passenger air service between the United States and Japan is regulated and restricted by a bilateral agreement concluded between the two governments in 1952, before the advent of jet transportation; and

Whereas, the existing U.S.-Japan aviation agreement allows only twelve U.S. cities to have direct passenger air service to Japan; and

Whereas, a new coalition of businesses and labor and political leaders has been formed to liberalize the 1952 aviation agreement and permit more flights from more cities connecting the United States with Japan; and

Whereas, this coalition is known as "ACCESS U.S.-Japan", (the Aviation Coalition for Competition and Expanded Services Between the United States and Japan), and is chaired by Gerald L. Baliles, the former Governor of the Commonwealth of Virginia; and

Whereas, the Governor of Missouri, Mel Carnahan, is a founding member of ACCESS U.S.- Japan; and

Whereas, the restrictive aviation agreement now in force with Japan does not permit Missouri airports to offer flights to Japan; and

Whereas, because of the restrictive agreement now in force, passengers must pay between twenty-five and sixty percent higher fare rates per mile for flights to Japan as compared with flights to other major international destinations; and

Whereas, Trans World Airlines, headquartered in St. Louis, has applied to the United States Department of Transportation to be granted authority to operate nonstop service between St. Louis and Tokyo, and between St. Louis and Osaka; and this application has received formal support from ACCESS U.S.-Japan; and

Whereas, an economic study by Coopers & Lybrand L.L.P. has determined that one flight per day from Tokyo to St. Louis would generate an additional $500 million per year in economic activity for the St. Louis area; and

Whereas, Coopers & Lybrand's economic study has determined that a liberalized aviation agreement between the United States and Japan would generate an additional $9 billion per year throughout the United States; and

Whereas, the President of the United States, William J. Clinton, will travel to Tokyo in April, 1996, for a State Visit, one which will include policy discussions with the Japanese Prime Minister:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby urge President Clinton to seek immediate commencement of negotiations with Japan to liberalize the United States-Japan passenger aviation agreement during his upcoming State Visit to

Japan; and

Be it further resolved that the Missouri House of Representatives memorialize the United States Department of Transportation to grant Trans World Airlines' application for authority to offer air service connecting St. Louis with Tokyo and Osaka, Japan; and

Be it further resolved that the Missouri House of Representatives support the efforts of ACCESS U.S.-Japan to promote tourism, trade, and economic growth in Missouri and throughout the United States through expanded aviation service between the United States and Japan; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for President William J. Clinton, for each member of the Missouri Congressional delegation, for the United States Department of Transportation, for Trans World Airlines of St. Louis, and for ACCESS U.S.- Japan, the Honorable Gerald L. Baliles, Chairman.

Mr. Speaker: Your Committee on Commerce, to which was referred **SCS SB 662**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 662, Page 2, Section 260.831, Line 38, by inserting after all of said line the following:

"**3. The authorization for the landfill fees for economic development as authorized in section 260.830 and this section shall expire on July 1, 1998, unless reauthorized by a vote at an election held prior to that date. The reauthorization by vote shall be effective for four years and may be reauthorized indefinitely.**".

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **SB 630**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Correctional and State Institutions, Chairman Crump (152) reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 870**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 940**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Correctional and Sate Institutions, to which was referred **SB 947**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1275**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 530**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 758**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HJR 57**, begs leave to report it has examined the same and recommends that it **Do Pass.**

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 2:00 p.m., Monday, April 15, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-Fourth Day, Wednesday, April 10, 1996, pages 24 and 25, roll call, by showing Representative Barnett (4) voting "present" rather than "absent with leave".

Pages 25 and 26, roll call, by showing Representative Broach voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 17, 1996, 1:30 pm. Hearing Room 9.

To be considered - SB 898

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 16, 1996, 8:30 am. Hearing Rooms 1 and 2. Executive

session to follow on SS/SB 795,542 & 563

To be considered - HB 1555, HB 1603, SB 795, SB 926

FEES AND SALARIES

Monday, April 15, 1996, 1:30 pm. Hearing Room 1. Executive session.

To be considered - SB 802

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Tuesday, April 16, 1996, 1:00 pm. Hearing Room 8. Evaluation of HB 564 (1993)

JUDICIARY AND ETHICS

Tuesday, April 16, 1996. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - SB 709, SB 526, SB 743

LOCAL GOVERNMENT AND RELATED MATTERS

Monday, April 15, 1996, 1:30 pm. Hearing Room 5. Executive Session

To be considered - SB 826, SB 945

PUBLIC HEALTH AND SAFETY

Tuesday, April 16, 1996. Hearing Room 9 upon morning adjournment.

Executive session to follow.

To be considered - SB 703, SB 916

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, April 15, 1996, 8:00 pm. Hearing Room 7. Executive session to follow.

To be considered - SB 970, SB 659, SB 722, SB 773

STATE PARKS, RECREATION AND NATURAL RESOURCES

Tuesday, April 16, 1996. Room 411B upon noon adjournment. Executive session.

SUB-COMMITTEE ON ELEMENTARY & SECONDARY EDUCATION

Tuesday, April 16, 1996, 8:00 am. Hearing Rooms 1 and 2.

To be considered - SB 572

TOURISM, RECREATION AND CULTURAL AFFAIRS

Monday, April 15, 1996, 8:00 pm. Hearing Room 9. Executive session may follow.

To be considered - SB 782

TRAVEL COMMITTEE

Monday, April 15, 1996, 12:00 pm. Hearing Room 2.

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Monday, April 15, 1996, 8:00 pm. Hearing Room 5. Executive session possible. Amended

To be considered - SJR 31, SB 868

HOUSE CALENDAR

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1186, HSA 1 for Part I of HA 2, Part I of HA 2, Part II of HA 2,.
HA2, HS,

as amended, pending - Hoppe

3 HCS HB 1237, Part I, as amended, Part II, as amended, Part III, as amended,
adopted,

Part IV, as amended, Part V, pending - Rizzo

4 HB 1241 - Witt
5 HCS HB 1185 - McClelland
6 HB 839 - Luetkenhaus
7 HB 1411 - Loudon
8 HCS HB 1149,1150 & 1240 - Jacob
9 HCS HB 894 - Bray
10 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
11 HB 1380 - Lumpe
12 HCS HB 1557 & 1489 - Days
13 HCS HB 987, 1155, 1158 & 1219 - Jacob
14 HCS HB 1403 - Dougherty
15 HB 1247 - Shelton (57)
16 HCS HB 1588 - Overschmidt
17 HB 944, HCA 1 - Smith
18 HB 1154 - Murray (69)
19 HCS HB 1540 - Green
20 HB 993 - Williams (121)
21 HB 854 - Bland
22 HB 1312 - Tate
23 HCS HB 843 - Daniels (41)
24 HB 1133 - Witt
25 HB 855 - Bland
26 HCS HB 830 & 1082 - Carter
27 HB 1228, HCA 1 - Harlan
28 HB 1279 - Tate
29 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
30 HCS HB 829 & 1254 - May (108)
31 HB 1414, HCA 1 - Smith
32 HCS HB 960 - Rizzo
33 HB 1436, HCA 1 - Dougherty
34 HB 1399, HCA 1 - Leake
35 HCS HB 1112 - Koller
36 HCS HB 1204 - Wiggins
37 HB 816, HCA 1 - Backer
38 HCS HB 961 - Boucher
39 HB 1535 - Kissell
40 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
41 HCS HB 1429 - Liese
42 HCS HB 1143 - Witt
43 HB 856, HCA 1 - Bland
44 HB 1310 - Tate
45 HCS HB 1175, 1120 & 797 - Gratz
46 HCS HB 912 & 1108 - Treadway
47 HB 1579, HCA 1 - Skaggs
48 HB 1562 - Witt
49 HCS HB 1374 - Scheve
50 HB 801, HCA 1 - Schilling
51 HB 1443, HCA 1, HCA 2 - Prost
52 HB 1289 - Liese
53 HCS HB 1278 & 1277 - May (108)
54 HB 1590, HCA 1 - Harlan
55 HB 1145 - Shear (83)
56 HCS HB 1115 - Montgomery
57 HCS HB 1206 & 1484 - Hosmer
58 HB 1575 - Loudon
59 HB 1180 - Williams (159)
60 HB 1080, HCA 1 - Troupe
61 HCS HB 1430 & 1165 - Hosmer
62 HCS HB 1000 - Treadway
63 HCS HB 840 & 841 - Luetkenhaus
64 HB 833, HCA 1 - Dougherty
65 HCS HB 1465 - Hoppe

66 HB 1245 - Farmer
67 HCS HB 867, 893 & 1401 - Morgan
68 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HOUSE BILLS FOR THIRD READING

HB 782, (Budget Fiscal 3-20-96) - Stokan

HS HCS HB 1320,981,1042,1109 & 1250, (Budget Fiscal 4-9-96) - O'Connor

BILLS IN CONFERENCE

HCS SS SB 687, as amended, E.C. - Lumpe

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HOUSE CONCURRENT RESOLUTIONS

HCR 10, (4-3-96 pgs. 13 & 14) - Rizzo

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HCR 11, (4-4-96 pgs. 3 & 4) - Marble

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 347, (3-28-96, pgs.11 & 12) - Prost

HR 716, (4-11-96) - Scheve

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-SIXTH DAY, Monday, April 15, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"Because of the Lord, be obedient to every human institution." (I Pet. 1:13)

Today we celebrate the annual ritual of tax day. We rejoice in the privileges of democracy, even if we fuss about how much government costs us in taxes. We pray to God, the author of our liberties, for the continuing efforts to make the tax code just, and fair and the need for ourselves to be sensitive about how taxes are raised and spent in the exercise of our own stewardship as citizens and in the exercise of the authority you have in this Chamber. We lift up in prayer the anger of so many of our citizens against the government which manifests itself in incidents such as the bombing of the Oklahoma City federal building whose first anniversary we commemorate this week. We pray for the law enforcement officers and all involved in the ongoing incident in Montana. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-fifth day was approved as corrected.

RESOLUTIONS

Representative McClelland offered House Resolution No. 778, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ribaudo offered House Resolution No. 779, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 780, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ross and Lograsso offered House Resolution No. 781, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No. 782.

Representative Marshall (26) offered House Resolution No. 783, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Hegeman and Shields offered House Resolution No. 784, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hegeman offered House Resolution No. 785, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1320, 981, 1042, 1109 & 1250 (Fiscal Note)**, begs leave to report it has been furnished a corrected fiscal note and does not require Budget Committee fiscal review.

HOUSE RESOLUTION

HR 716, relating to TWA air services to Japan, was taken up by Representative Scheve.

On motion of Representative Scheve, **HR 716** was adopted.

SUPPLEMENTAL CALENDAR

April 15, 1996

SENATE BILLS FOR THIRD READING - CONSENT

1 SB 693 - Leake
2 SB 720 - Heckemeyer
3 SB 929 - Stoll
4 SB 811 - Days
5 SCS SB 694 - Harlan
6 SB 850 - Rizzo
7 SB 702, E.C. - Lumpe
8 SB 830 - Harlan
9 SB 930, HCA 1 - Treadway
10 SB 940 - Ribaudo
11 SB 527 - Harlan
12 HCS SB 947 - Graham
13 SB 766 - Leake
14 HCS SB 900 - Hagan-Harrell
15 SS SB 740, HCA 1 - Backer
16 SCS SB 662, HCA 1 - Williams (159)
17 SB 530, E.C. - Sheldon (104)
18 SB 837 - Luetkenhaus
19 SB 630 - Sears (1)
20 HCS SB 870, E.C. - Koller
21 SB 491, HCA 1 - Hosmer
22 HCS SB 835 - Hosmer
23 SB 605, HCA 1 - Lakin
24 SCS SB 668, HCA 1 - Hosmer
25 SB 846 - Childers
26 SB 883, E.C. - Auer
27 HCS SB 657 - Legan
28 SCS SB 758 - Backer
29 SB 792, HCA 1 - Legan
30 HCS SCS SB 598 - Long
31 SCS SB 670, HCA 1 - Childers
32 SB 728, HCA 1 - Luetkenhaus
33 SB 802 - Backer

PERFECTION OF HOUSE BILLS

HB 1241, relating to traffic offenders program, was taken up by Representative Witt.

Representative Witt offered **HS HB 1241**.

On motion of Representative Witt, **HS HB 1241** was adopted.

On motion of Representative Witt, **HS HB 1241** was ordered perfected and printed by the following vote:

AYES: 092

Auer	Ballard	Barry	Bartelsmeyer	Bonner
Boucher	Brown	Childers	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Dougherty	Evans	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Gaskill	Gibbons	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Jacob	Kauffman	Kissell	Koller
Kreider	Leake	Levin	Long	Luetkenhaus
Lumpe	Marshall 133	May 108	McBride	McClelland

Mitchell	Montgomery	Murray 69	Murray 135	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Relford
Ribaudo	Rizzo	Robirds	Sallee	Scheve
Scott	Sears 1	Shields	Skaggs	Sombart
Steen	Stokan	Stoll	Tate	Thomason 163
Thompson 37	Treadway	Ward	Whiteside	Wiggins
Williams 159	Witt			

NOES: 066

Akin	Alter	Backer	Barnett 4	Bennett 15
Bland	Boatright	Bray	Broach	Burton
Canuteson	Carter	Champion	Chrismer	Days
Donovan	Edwards-Pavia	Elliott	Enz	Farmer
Foster	Froelker	Graham	Gratz	Hall
Harlan	Hendrickson	Hohulin	Howerton	Kasten
Keeven	Kelley 47	Kelly 27	Klumb	Legan
Liese	Linton	Lograsso	Loudon	Marble
Marshall 26	Mays 50	McLuckie	Morgan	Murphy
Naeger	Pauley	Reynolds	Richardson	Ridgeway
Ross	Schilling	Schwab	Secrest	Shear 83
Sheldon 104	Shelton 57	Smith	Summers	Surface
Troupe	Van Zandt	Vogel	Wieland	Williams 121

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 004

Goward	Lakin	Wannenmacher	Mr. Speaker

VACANCY: 001

HCS HB 1185, relating to administrative rule waivers, was taken up by Representative McClelland.

Representative McClelland offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1185, page 1, section 1.2, line 18, by deleting the word "five" and replacing it with the word "three"

On motion of Representative McClelland, House Amendment No. 1 was adopted.

On motion of Representative McClelland, **HCS HB 1185, as amended,** was adopted.

On motion of Representative McClelland, **HCS HB 1185, as amended,** was ordered perfected and printed.

The Speaker assumed the Chair.

HCS HB 1237, **with Part I, as amended, Part II, as amended, Part III, as amended, adopted, Part IV, as amended, Part V, of HS, pending,** relating to economic development, was again taken up by Representative Rizzo.

Part IV of HS HCS HB 1237, as amended, was again taken up by Representative Rizzo.

Representative Backer offered House Amendment No. 3.

House Amendment No. 3

AMEND Part IV of House Substitute for House Committee Substitute for House Bill No. 1237, page 89, section 2, line 4, by inserting immediately after said line the following:

"108.510. 1. Prior to any issuance of any private activity bonds, all issuers, whether state or local, shall first make a request for an allocation by filing a signed application for each project with the director in the form prescribed by the director. Such applications for allocations shall be considered by the director in accordance with the provisions of sections 108.500 to 108.532 and, in making such allocations, the director shall consider the economic development objectives of the state, including:

(1) The mobility of the project for which the allocation is being sought, including the ability of the prospective beneficiary of the allocation to locate the project in a state other than Missouri;

(2) The potential impact of the project upon existing businesses in the local market;

(3) The type of project or financing for which the allocation is sought;

(4) The number of persons, families or businesses which would benefit from the proposed project or financing. The director may in his discretion, promulgate rules or regulations to be followed in considering such applications for allocations of the state ceiling.

2. No rule or portion of a rule promulgated under the authority of sections 108.500 to 108.532 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

3. Other provisions of the law to the contrary notwithstanding, the allocation for private activity bonds beginning in 1996 and continuing until the year 2006, inclusive, shall include an annual allocation equal to or greater than fifty million dollars directed to a mortgage credit certificate program for all counties, except for any city not within a county, and county of the first classification with a charter form of government adjoining any city not within a county and any county of the first classification with a charter form of government which contains a portion of a city with a population of three hundred thousand or more, to be operated by a Missouri corporation organized under Chapter 351 and incorporated prior to May 1, 1996, and evidencing expertise drawn from any other presently existing mortgage credit certificate program."; and

further amend the title and enacting clause accordingly.

On motion of Representative Backer, House Amendment No. 3 was adopted.

On motion of Representative Rizzo, **Part IV of HS HCS HB 1237, as amended** was adopted.

Part V of HS HCS HB 1237 was taken up by Representative Rizzo.

Representative Green offered House Amendment No. 1.

House Amendment No. 1

AMEND Part V of House Substitute for House Committee Substitute for House Bill No. 1237, Page 92, Section 2, Line 16 from the top of said page, by inserting after all of said line the following:

"**2. The office of the film commission, and any satellite office or offices, shall closely coordinate its efforts with any local film office. A "local film office" shall include any film office, tourism bureau or other economic development agency that seeks to promote film production funded principally by local governments in Missouri.**".

On motion of Representative Green, House Amendment No. 1 was adopted.

Representative Bartelsmeyer offered House Amendment No. 2.

House Amendment No. 2

AMEND Part V of House Substitute for House Committee Substitute for House Bill No. 1237, Page 89, Section 1, Line 18, by deleting the word "five" and inserting in lieu thereof the word "nine";

AND FURTHER AMEND, Page 89, Section 1, lines 20 and 22, by deleting the words "One member" found on both lines, and inserting in lieu thereof the words "Two members" on both lines;

AND FURTHER AMEND, Page 89, Section 1, lines 20 and 22, by inserting immediately after the word "appointed" found on both lines the words "in a bipartisan manner" on both lines;

AND FURTHER AMEND, Page 90, Section 1, line 2, by deleting word "Three" and inserting in lieu thereof the word "Five";

AND FURTHER AMEND, Page 90, Section 1, lines 7 and 8, by deleting the word "one" found on both lines and inserting in lieu thereof the word "two" on both lines.

On motion of Representative Bartelsmeyer, House Amendment No. 2 was adopted.

Representative Kauffman offered House Amendment No. 3.

House Amendment No. 3 was withdrawn.

Representative Kauffman offered House Amendment No. 3.

House Amendment No. 3

AMEND Part V of House Substitute for House Committee Substitute for House Bill No. 1237, page 90, lines 3 and 4, by deleting the words "director of the department of economic development." and inserting the following words "Governor with the advice and consent of the Senate."

and on line 5, delete the word director and insert "Governor with the advice and consent of the Senate."

Representative Kauffman moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Representative Thomason (163) offered House Amendment No. 4.

House Amendment No. 4

AMEND Part V of House Substitute for House Committee Substitute for House Bill No. 1237, Page 94, Section 6, Line 10 from the top of said page, by inserting after all of said line the following:

"**Section 7. Sections 7 to 22 of this act shall be known as the "Missouri Business Use Incentives for Large-Scale Development Act".**

Section 8. As used in sections 7 to 22 of this act, the following terms mean:

(1) "Board", the Missouri development finance board as created by section 100.265, RSMo;

(2) "Certificates", the revenue bonds or notes authorized to be issued by the board pursuant to section 21 of this act;

(3) "Credit", the amount agreed to between the board and an eligible industry, but not to exceed the incremental income tax withholding attributable to the eligible industry's project;

(4) "Department", the Missouri department of economic development;

(5) "Director", the director of the department of economic development;

(6) "Economic development project":

(a) The acquisition of any real property by the board, the eligible industry, or its affiliate; or

(b) The fee ownership of real property by the eligible industry or its affiliate; and

(c) The development of the real property including construction, installation, or equipping of a project, including fixtures and equipment, and facilities necessary or desirable for improvement of the real property, including surveys; site tests and inspections; subsurface site work; excavation; removal of structures, roadways, cemeteries and other surface obstructions; filling, grading and provision of drainage, storm water retention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities; off-site construction of utility extensions to the boundaries of the real property; and the acquisition, installation, or equipping of facilities on the real property, for use and occupancy by the eligible industry or its affiliates;

(7) "Eligible employee", a person employed on a full-time basis in a new job at the economic development project averaging at least thirty-five hours per week who was not employed by the eligible industry or a related taxpayer in this state at any time during the twelve-month period immediately prior to being employed at the economic development project;

(8) "Eligible industry", a business located within the state of Missouri which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail health, or professional services. "Eligible industry" does not include a business which closes or substantially reduces its operation in one area of the state and relocates substantially the same operation in another area of the state. This does not prohibit a business from expanding its operations in another area of the state provided that existing operations of a similar nature are not closed or substantially reduced. An eligible industry must:

(a) Invest a minimum of two hundred million dollars in an economic development project; and

(b) Create a minimum of one hundred new jobs for eligible employees at the economic development project;

(9) "Financing agreement", any agreement entered into, pursuant to sections 7 to 22 of this act, on behalf of the board and an eligible industry with respect to an economic development project. No such agreement shall be for a period longer than fifteen years;

(10) "Incremental income tax withholding", the total amount withheld pursuant to sections 143.191 to 143.265, RSMo, by the employer during the taxable year from the compensation of eligible employees;

(11) "New job", a job in a new or expanding eligible industry not including jobs of recalled workers, replacement jobs or jobs that formerly existed in the eligible industry in the state;

(12) "Program costs", all necessary and incidental costs of providing program services including payment of the principal of premium and interest on certificates, including capitalized interest, issued to finance a project, and funding and maintenance of a debt service reserve fund to secure such certificates. Program costs shall include:

(a) Obligations incurred for labor and obligations incurred to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction, installation or equipping of an economic

development project;

(b) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(c) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction, installation or equipping of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(d) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations and supervision of construction, as well as the costs for the performance of all the duties required by or consequent upon the acquisition, construction, installation or equipping of an economic development project;

(e) All costs which are required to be paid under the terms of any contract or contracts for the acquisition, construction, installation or equipping of an economic development project; and

(f) All other costs of a nature comparable to those described in this subdivision;

(13) "Program services", administrative expenses of the board, including contracted professional services, and the cost of issuance of certificates.

Section 9. 1. The Missouri development finance board shall have, in addition to the powers provided to it in sections 100.250 to 100.297, RSMo, and with the approval of the department, all the powers necessary or convenient to carry out and effectuate the purposes and provisions of sections 7 to 22 of this act, including, but not limited to, the power to:

(1) Provide and finance economic development projects, pursuant to the provisions of sections 7 to 22 of this act, and cooperate with eligible industries in order to promote, foster and support economic development within the state;

(2) Conduct hearings and inquiries, in the manner and by the methods as it deems desirable, for the purpose of gathering information with respect to eligible industries and economic development projects, and for the purpose of making any determinations necessary or desirable in the furtherance of sections 7 to 22 of this act; and

(3) Negotiate the terms of, including the amount of project costs, and enter into financing agreements with eligible industries, and in connection therewith to acquire, convey, sell, mortgage, finance or otherwise dispose of any property, real or personal, loan bond proceeds, and permit the use of incremental income tax withholding, in connection with an economic development project, and to pay, or cause to be paid, in accordance with the provisions of a financing agreement, the program costs of an economic development project from any funds available therefor.

2. Certificates issued by the board pursuant to the provisions of sections 7 to 22 of this act shall not constitute an indebtedness or liability of the state of Missouri within the meaning of any state constitutional provision or statutory limitation and shall not constitute a pledge of the faith and credit of the state of Missouri.

Section 10. 1. The department, in conjunction with the board, shall establish the procedures and standards for the determination and approval of eligible industries and their economic development projects by the promulgation of rules or regulations in accordance with sections 7 to 22 of this act, chapter 536, RSMo, and section 620.1066, RSMo. These rules or regulations shall mandate the evaluation of the credit worthiness of eligible industries, the number of new jobs to be provided by an economic development project to residents of the state, and the likelihood of the economic success of the economic development project. No economic development project which will result in the replacement of facilities existing in the state shall be approved by the board.

2. With respect to each eligible industry making an application to the board for incentives, and with respect to the economic development project described in the application, the board shall request relevant information, documentation and other materials and make inquiries of the applicant as necessary or appropriate. After a diligent review of relevant materials and completion of its inquiries, the board may by resolution designate an economic development project.

Section 11. The board may enter into, with the approval of the department and in consultation with the office of administration, with any eligible industry, a financing agreement with respect to its economic development project. Subject to the inclusion of the mandatory provisions set forth in sections 7 to 22 of this act, the terms and provisions of each financing agreement shall be determined by negotiations between the board and the eligible industry.

Section 12. The financing agreement shall provide in substance that:

(1) It may be assigned by the eligible industry only upon the prior written consent of the board following the adoption of a resolution by the board to such effect; and

(2) Upon default by the eligible industry in any obligations under the financing agreement or other documents evidencing, securing or related to the eligible industry's obligations, the board shall have the right, at its option,

to:

(a) Declare the financing agreement or other such documents in default;

(b) Accelerate and declare the total of all such payments due by the eligible industry and sell the economic development project at public, private, or judicial sale;

(c) Pursue any remedy provided under the financing agreement or other such documents;

(d) Be entitled to the appointment of a receiver by the circuit court wherein any part of the economic development project is located; and

(e) Pursue any other applicable legal remedy.

Section 13. After receipt of an application, the board may with the approval of the department, enter into an agreement with an eligible industry for a credit pursuant to sections 7 to 22 of this act if the board determines that all of the following conditions exist:

(1) The applicant's project will create new jobs that were not jobs previously performed by employees of the applicant in Missouri;

(2) The applicant's project is economically sound and will benefit the people of Missouri by increasing opportunities for employment and strengthening the economy of Missouri;

(3) The political subdivisions affected by the project have committed significant local incentives with respect to the project;

(4) Receiving the credit is a major factor in the applicant's decision to go forward with the project and not receiving the credit will result in the applicant not creating new jobs in Missouri; and

(5) Awarding the credit will result in an overall positive fiscal impact to the state.

Section 14. In determining the credit that should be awarded, the board shall take into consideration the following factors:

(1) The economy of the county where the projected investment is to occur;

(2) The potential impact on the economy of Missouri;

(3) The incremental payroll attributable to the project;

(4) The capital investment attributable to the project;

(5) The amount the average wage paid by the applicant exceeds the average wage paid within the county in which the project will be located;

(6) The costs to Missouri and the affected political subdivisions with respect to the project;

(7) The financial assistance that is otherwise provided by Missouri and the affected political subdivisions.

Section 15. The board shall determine the amount and duration of a credit awarded pursuant to sections 7 to 22 of this act. The credit amount may not exceed the incremental income tax withholding.

Section 16. An agreement between the board and an eligible industry shall include all of the following:

(1) A detailed description of the project that is the subject of the agreement;

(2) A specific method for determining the number of new employees employed during a taxable year who are performing jobs not previously performed by an employee of the eligible industry;

(3) A requirement that the taxpayer shall annually report to the board the number of new employees who are performing jobs not previously performed by an employee, the new income tax revenue withheld in connection with the new employees, and any other information the board needs to perform its duties pursuant to sections 7 to 22 of this act;

(4) A requirement that the taxpayer shall provide written notification to the director and the board not more than thirty days after the taxpayer makes or receives a proposal that would transfer the taxpayer's state tax liability obligations to a successor taxpayer; and

(5) Any other performance conditions that the board and the director determine are appropriate.

Section 17. If the board determines that an eligible industry which has received a credit pursuant to sections 7 to 22 of this act is not complying with the requirements of the credit agreement or all of the provisions of sections 7 to 22 of this act, the board shall, after giving the industry an opportunity to explain the noncompliance, notify the department of revenue of the noncompliance and request an assessment. The board shall state the amount of the assessment, which may not exceed the sum of any previously allowed

incremental income tax withholding pursuant to sections 7 to 22 of this act. After receiving such a notice, the department of revenue shall make an assessment against the taxpayer for the amount stated in the board's notice.

Section 18. On an annual basis, the director shall provide for an evaluation of the program. The evaluation shall include an assessment of the effectiveness of the program in creating new jobs in Missouri and of the revenue impact of the program. The director shall submit a report on the evaluation to the governor, the president pro tem of the senate, and the speaker of the house of representatives.

Section 19. An agreement between the board and an eligible industry shall provide that all or part of program costs are to be met by receipt of incremental income tax withholding. Incremental income tax withholding shall be based upon wages paid to eligible employees. A portion or all of the total payments made by the employer pursuant to section 143.221, RSMo, shall be designated as the incremental income tax withholding. If business or employment conditions cause the amount of the incremental income tax withholding to be less than the amount projected in the agreement for any time period, then other withholding tax paid by the employer pursuant to section 143.221, RSMo, shall be credited to the Missouri large-scale development fund by the amount of such difference. The employer shall remit the amount of the incremental income tax withholding to the department of revenue in the manner prescribed in section 22 of this act. When all program costs, including the principal of, premium, if any, and interest on the certificates have been paid, the employer credits shall cease.

Section 20. 1. The board shall establish a special fund for and in the name of each project. All funds appropriated by the general assembly to the department of economic development from the large-scale development fund and disbursed by the board for the project and other amounts received by the board in respect of the project and required by the agreement to be used to pay program costs for the project shall be deposited in the special fund. Amounts held in the special fund may be used and disbursed by the board only to pay program costs for the project.

2. Any disbursement in respect of a project received from the department of economic development pursuant to the provisions of sections 7 to 22 of this act, and the special fund into which it is paid, may be irrevocably pledged by the board for the payment of the principal of, premium, if any, and interest on the certificate issued by the board to finance or refinance, in whole or in part, the project.

3. The employer shall certify to the department of revenue that the credit from withholding is in accordance with an agreement and shall provide other information the department may require.

4. An employee participating in a project shall receive full credit for the amount designated as incremental income tax withholding and withheld as provided in section 143.221, RSMo.

5. If an agreement provides that all or part of program costs are to be met by receipt of incremental income tax withholding, the provisions of this section shall also apply to any successor to the original employer until such time as the principal and interest on the certificates have been paid.

Section 21. 1. To provide funds for the present payment of the costs of economic development projects, the board may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement including disbursements from the Missouri large-scale development fund to the special fund established by the board for each project. The certificates shall be marketed through financial institutions authorized to do business in Missouri. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board, and may bear interest at such rate or rates as the board shall determine, notwithstanding the provisions of section 108.170, RSMo, to the contrary. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board may provide by resolution authorizing the issuance of the certificates.

2. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. They may be issued for the purpose of refunding a like, greater or lesser principal amount of certificates and may bear a higher, lower or equivalent rate of interest than the certificates being renewed or refunded.

3. The board shall determine if revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

4. Certificates issued pursuant to this section shall not be deemed to be an indebtedness of the state or the board or of any political subdivision of the state and the principal and interest on such certificates shall be payable only from the incremental income tax withholding which is pledged in the agreement.

Section 22. 1. There is hereby established within the state treasury a special fund, to be known as the "Missouri Large-Scale Development Fund", to be administered by the department of economic development. The department of revenue shall credit to the large-scale development fund, as received, all incremental income

tax withholding remitted by employers. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the large-scale development fund. Moneys in the Missouri large- scale development fund shall be disbursed to the department of economic development pursuant to regular appropriations by the general assembly. The department shall disburse such appropriated funds in a timely manner into the special funds established by the board for projects, which funds shall be used to pay program costs, including the principal of, premium, if any, and interest on certificates issued by the board to finance or refinance, in whole or in part, a project. Such disbursements by the department of economic development shall be made to the special fund for each project in the same proportion as the incremental income tax withholding remitted by the employer participating in such project bears to the total remitted by all employers participating in projects during the period for which the disbursement is made. Moneys for economic development projects established pursuant to the provisions of sections 7 to 22 of this act shall be obtained from appropriations made by the general assembly from the Missouri large-scale development fund. All moneys remaining in the Missouri large-scale development fund at the end of any fiscal year shall not lapse into the general revenue fund, as provided in section 33.080, RSMo, but shall remain in the Missouri large- scale development fund.

2. The department of revenue shall develop such forms as are necessary to demonstrate accurately each employer's incremental income tax withholding paid into the Missouri large- scale development fund. The incremental income tax withholding shall be accounted as separate from the normal withholding tax paid to the department of revenue by the employer. Reimbursements made by all employers to the Missouri large-scale development fund shall be no less than all allocations made by the department of economic development to the board for all projects. The employer shall remit the amount of the incremental income tax withholding to the department of revenue in the same manner as provided in sections 143.191 to 143.265, RSMo."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Thomason (163), House Amendment No. 4 was adopted.

Representative Brown offered House Amendment No. 5.

House Amendment No. 5

AMEND Part V of House Substitute for House Committee Substitute for House Bill No. 1237, page 94, section 6, line 10, by inserting immediately after section 6, all of the following:

137.100. **1.** The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state**, except for any property described in subsection 2 of this section**;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes;

(6) Household goods, furniture, wearing apparel and articles of personal use and adornment, as defined by the state tax commission, owned and used by a person in his home or dwelling place.

2. Any real property of any state university or college, when such property contains a research facility and such property is within a county of the first classification with a charter form of government with a population of at least two hundred thousand but not more than two hundred fifty thousand and adjoins another county of the first classification with a charter form of government with a population of at least nine hundred thousand inhabitants, shall have any parcel or portion of such property, if described below, fully assessed and taxed as follows:

(1) If used for recreational purposes for which a fee is charged to participate or observe such recreation, the property shall be taxed at one hundred percent of the tax rate; or

(2) If used for the purposes of commerce or business, the property may be taxed at up to one hundred percent of the tax rate.".

Amend title and enacting clause accordingly.

On motion of Representative Brown, House Amendment No. 5 was adopted.

On motion of Representative Rizzo, **Part V of HS HCS HB 1237, as amended,** was adopted.

On motion of Representative Rizzo, **HS HCS HB 1237, as amended,** was ordered perfected and printed.

HB 1411, relating to motor vehicle license plates, was taken up by Representative Loudon.

Representative Thomason (163) offered House Amendment No. 1.

House Amendment No. 1.

AMEND House Bill No. 1411, Page 1, In the title, Line 2, by deleting the words "one new section" and inserting in lieu thereof the words "five new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the words "one new section" and inserting in lieu thereof the words "five new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "section 301.131" and inserting in lieu thereof the following: "sections 301.131, 1, 2, 3 and 4"; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"**Section 1. 1. The state environmental improvement and energy resources authority, created pursuant to section 260.010, RSMo, may authorize the use of up to three designs developed by such authority depicting aspects of the conservation of the air, water, land or wildlife resources of this state which, if such designs are approved by the director of revenue, may be incorporated into license plates as provided pursuant to this section.**

2. A motor vehicle owner may annually apply to the authority for the use of one of the designs developed by such authority, and such owner shall be allowed to select a design of the owner's choosing. The annual application to the authority shall include a twenty-five dollar contribution to such authority. Any contributions to the authority pursuant to this section shall be placed in the Missouri resource heritage fund as provided in subsection 7 of this section. Annual administrative costs of the authority may be paid from up to fifteen percent of the fund.

3. If the motor vehicle owner makes a satisfactory application and contribution to the authority, then the authority shall issue to such owner, without further charge, a document to be known as the "Design Use Authorization Statement". The statement shall give notice as to which design developed by the authority, if there are more than one, was chosen by the owner. The director of revenue shall issue license plates incorporating the design chosen by the owner, upon presentation of the design use authorization statement and the payment of the fee required for personalized license plates pursuant to section 301.144, RSMo, and upon the payment of other fees and presentation of other documents as required by law.

4. If a motor vehicle owner who has been issued a license plate incorporating a design pursuant to this section does not provide a design use authorization statement to the director of revenue at the annual registration of the motor vehicle, then the owner shall be issued a new plate which does not incorporate a design developed by the authority.

5. The director of revenue shall make all necessary rules and regulations for the enforcement of this section and shall determine the number of license plates which can be issued incorporating the design developed and authorized by this section.

6. The license plate authorized by this section shall be in a form as prescribed in section 301.129, RSMo, and shall bear the design as chosen by the owner; except that such license plates shall be made with fully reflective materials with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive as prescribed by section 301.130, RSMo.

7. There is hereby created within the state treasury the "Missouri Resource Heritage Fund". All contributions collected pursuant to this section shall be transmitted to the director of revenue to be deposited in the fund. Deposits to the Missouri resource heritage fund may also include gifts, bequests or other contributions of money. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in such fund shall not be transferred and placed to the credit of the general revenue fund until the amount in the Missouri resource heritage fund at the end of the biennium exceeds two times the amount of the appropriation from the fund in the preceding fiscal year. The environmental improvement and energy resources authority, created pursuant to section 260.010, RSMo, shall use the fund to provide activities and projects which foster and promote the wise use and sustained productivity of Missouri's natural resources.

Section 2. 1. Any person who served in the Korean war and was honorably discharged from such service may apply for special motor vehicle license plates, either solely or jointly, for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055, RSMo, whether such vehicle is owned solely or jointly. Any such person shall make application for the special license plates on a form provided by

the director of revenue and furnish such proof of service in the Korean war and status as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates prescribed by section 301.144, RSMo, and other fees and documents which may be required by law. The director shall then issue license plates bearing letters or numbers or a combination thereof with the words "KOREAN WAR VETERAN" in place of the words "SHOW-ME-STATE". Such plates shall also bear an image of the Korean war service medal. The plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130, RSMo. No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant. License plates issued pursuant to this section shall not be transferable to any other person except that any registered coowner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

2. Any person who served in World War II and was honorably discharged from such service may apply for special motor vehicle license plates, either solely or jointly, for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055, RSMo, whether such vehicle is owned solely or jointly. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of service in World War II and status as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates prescribed by section 301.144, RSMo, and other fees and documents which may be required by law. The director shall then issue license plates bearing letters or numbers or a combination thereof with the words "WORLD WAR II VETERAN" in place of the words "SHOW-ME-STATE". Such plates shall also bear an image of the World War II service medal. The plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130, RSMo. No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant. License plates issued pursuant to this section shall not be transferable to any other person except that any registered coowner of the motor vehicle may operate the motor vehicle for the duration of the year licensed

in the event of the death of the qualified person.

Section 3. 1. Any member of the Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) living within the state of Missouri may receive special license plates as prescribed in this section after an annual payment of an emblem-use authorization fee to the Shrine temple to which the person is a member in good standing. The Shrine temple described in this section shall authorize the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such Shrine temple derived from this section, except reasonable administrative costs, shall be contributed to the Shriners Hospitals for Crippled and Burned Children. Any member of such Shrine temple may annually apply to the temple for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the Shrine temple, the temple shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the member to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, RSMo, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the emblem of the Shrine, to the vehicle owner.

3. The license plate authorized by this section shall be in a form as prescribed in section 301.129, RSMo, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

4. A vehicle owner, who was previously issued a plate with the Shrine emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Shrine emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

Section 4. 1. Any member of the Missouri federation of square and round dance clubs may receive special license plates as prescribed in this section after an annual payment of an emblem-use contribution to the Missouri federation of square and round dance clubs. The federation described in this section shall authorize the use of an emblem to be affixed on multiyear personalized license plates as provided in this section. Any member of the federation may annually apply to the federation for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem use contribution to the federation, the federation shall issue to the vehicle owner, without further charge, an emblem use authorization statement, which shall be presented by the member to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, RSMo, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear an emblem authorized by the federation pursuant to this section, to the vehicle owner.

3. The license plate authorized by this section shall be in a form as prescribed in section 301.129, RSMo, except that such license plates shall be made with fully reflective material with a common color scheme and design,

shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

4. A vehicle owner, who was previously issued a plate with the federation emblem authorized by this section but who does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the federation emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

5. Any contributions to the federation pursuant to this section shall be placed in the division of tourism supplemental revenue fund established pursuant to section 620.467, RSMo.".

Representative Loudon offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 1411, page 8, section 3.1, line 7, by deleting all of said line and inserting in lieu thereof the following:

"**emblem prescribed by the shrine, to the vehicle owner.**"

Representative Loudon moved that House Amendment No. 1 to House Amendment No. 1 be adopted.

Which motion was defeated.

Representative Ross offered House Amendment No. 2 to House Amendment No. 1.

House Amendment No. 2
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Bill No. 1411, Page 7, Line 4 from the top of said page, by inserting after all of said line the following:

"**3. Any person who served in the Vietnam War and was honorably discharged from such service may apply for special motor vehicle license plates, either solely or jointly, for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055, RSMo, whether such vehicle is owned solely or jointly. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of service in the Vietnam War and status as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates prescribed by section 301.144, RSMo, and other fees and documents which may be required by law. The director shall then issue license plates bearing letters or numbers or a combination thereof with the words "VIETNAM WAR VETERAN" in place of the words "SHOW-ME-STATE". Such plates shall also bear an image of the Vietnam War service medal. The plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130, RSMo. No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant. License plates issued pursuant to this section shall not be transferable to any other person except that any registered coowner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.**".

On motion of Representative Ross, House Amendment No. 2 to House Amendment No. 1 was adopted.

Representative Richardson offered House Amendment No. 3 to House Amendment No. 1.

House Amendment No. 3
to
House Amendment No. 1

AMEND House Amendment No. 1 for House Bill No. 1411, by adding a new section at the end thereof as follows:

Any person who has earned the rank of eagle scout from the Boy Scouts of America may apply for special motor vehicle license plates, either solely or jointly, for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055, RSMo, whether such vehicle is owned solely or jointly. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof that he has earned such rank as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates prescribed by section 301.144, RSMo, and other fees and documents which may be required by law. The director shall then issue license plates bearing letters or numbers or a combination thereof with the words "EAGLE SCOUT" in place of the words "SHOW-ME-STATE". Such plates shall also bear THE EAGLE SCOUT EMBLEM, as authorized by the Boy Scouts of America. The plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130,

RSMo. No more than one set of special license plates shall be issued pursuant to this section to a qualified applicant. License plates issued pursuant to this section shall not be transferable to any other person except that any registered coowner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

On motion of Representative Richardson, House Amendment No. 3 to House Amendment No. 1 was adopted.

On motion of Representative Thomason (163), House Amendment No. 1, as amended, was adopted.

Representative Scheve offered House Amendment No. 2.

House Amendment No. 2

AMEND House Bill No. 1411, Page 1, In the Title, Line 2, by deleting the following: "Section 301.131," and inserting in lieu thereof the following: "Sections 301.131 and 301.144"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the following: "Section 301.131," and inserting in lieu thereof the following: "Sections 301.131 and 301.144"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "section 301.131," and inserting in lieu thereof the following: "sections 301.131 and 301.144"; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"301.144. 1. The director of revenue shall establish and issue special personalized license plates containing letters or numbers or combinations of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized license plate for any motor vehicle other than a commercial motor vehicle licensed for more than twelve thousand pounds shall apply to the director of revenue on a form provided by the director and shall pay a fee of fifteen dollars in addition to the regular registration fees. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each year for the applications. No rule or regulation promulgated pursuant to this section shall become effective until approved by the joint committee on administrative rules. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each year he desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person currently in possession of an approved personalized license plate shall have first priority on that particular plate for each of the following years that timely and appropriate application is made.

2. No personalized license plates shall be issued containing any letters, numbers or combination of letters and numbers which are obscene, profane, inflammatory or contrary to public policy. The director may recall any personalized license plates, including those issued prior to August 28, 1992, if he determines that the plates are obscene, profane, inflammatory or contrary to public policy. Where the director recalls such plates under the provisions of this subsection, he shall reissue personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the standards established under this section. Nothing contained in this subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for registration purposes, as collector's items or for decorative purposes.

3. The director may also establish categories of specialized personalized license plates from which license plates may be issued. Any such person that desires a special personalized license plate from any such category shall pay the same additional fee and make the same kind of application as that required by subsection 1 of this section, and the director shall issue such plates in the same manner as other special personalized license plates are issued.

4. The director of revenue shall issue to residents of the state of Missouri who hold an unrevoked and unexpired official amateur radio license issued by the Federal Communications Commission, upon application and upon payment of the additional fee specified in subsection 1 of this section, special personalized license plates bearing the official amateur radio call letters assigned by the Federal Communications Commission to the applicant. The application shall be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired amateur radio license issued by the Federal Communications Commission and the official radio call letters assigned by the Federal Communications Commission to the applicant. **Any special personalized license plates issued pursuant to this subsection shall have the words "Amateur Radio Operator" in place of the words "Show-Me State".**

5. Notwithstanding any other provision to the contrary, any business listed in subsection 1 of section 301.570 that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the fees presently required of a manufacturer, distributor, or dealer in section 301.560. Such placard shall bear a number and shall be in such form as the director of revenue shall determine, and shall be only used for demonstrations when displayed substantially as provided for number plates on the rear of the motor vehicle or trailer.".

On motion of Representative Scheve, House Amendment No. 2 was adopted by the following vote:

AYES: 109

Auer	Backer	Barry	Bland	Bonner
Boucher	Bray	Burton	Carter	Champion
Childers	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Enz	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Gibbons	Graham	Gratz	Griesheimer
Gunn	Hagan-Harrell	Hand	Hartzler 123	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Nordwald	O'Connor	O'Neill	O'Toole
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Ribaudo	Rizzo	Robirds	Scheve
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 049

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Canuteson
Chrismer	Cierpiot	Edwards-Pavia	Elliott	Evans
Foster	Froelker	Gaskill	Green	Gross
Hall	Harlan	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Legan	Lograsso	Murray 135	Naeger
Oetting	Ostmann	Pryor	Richardson	Ridgeway
Ross	Sallee	Schilling	Schwab	Scott
Secrest	Steen	Summers	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 004

Goward	Thompson 37	Wannenmacher	Ward

VACANCY: 001

Representative Scheve offered House Amendment No. 3.

House Amendment No. 3

AMEND House Bill No. 1411, Page 1, In the Title, Line 2, by deleting the following: "section 301.131" and inserting in lieu thereof the following: "sections 301.131 and 301.445"

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the following: "Section 301.131, RSMo Supp. 1995, is repealed and one new section" and inserting in lieu thereof the following: "Sections 301.131 and 301.445, RSMo Supp. 1995, are repealed and two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "section 301.131" and inserting in lieu thereof the following: "sections 301.131 and 301.445"; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"301.445. **1.** Any person who has been awarded the combat infantry badge may apply for special motor vehicle license plates for any vehicle he owns, either solely or jointly, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of [nine thousand one pounds] up through and including twelve thousand pounds as provided in section 301.057. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the combat infantry badge as the director may require. The director shall then issue license plates bearing the words "COMBAT INFANTRYMAN" in place of the words "SHOW-ME STATE" in a form prescribed by the advisory committee established in section 301.129, except that such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the combat infantry badge. There shall be an additional fee charged for each set of special combat infantry badge license plates issued equal to the fee charged for personalized license plates in section 301.144. No more than one set of combat infantry badge license plates shall be issued to a qualified applicant. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered coowner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

2. The provisions of this section shall become effective on January 1, 1997.".

On motion of Representative Scheve, House Amendment No. 3 was adopted.

Representative Hosmer offered House Amendment No. 4.

House Amendment No. 4

AMEND House Bill No. 1411, Page 1, In the Title, Line 2, by deleting the following: "301.131," and inserting in lieu thereof the following: "301.131 and 301.447,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the following: "301.131," and inserting in lieu thereof the following: "301.131 and 301.447"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the following: "is repealed and one new section" and inserting in lieu thereof the following: "are repealed and two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "301.131," and inserting in lieu thereof the following: "301.131 and 301.447"; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"301.447. 1. Any member of the United States Military Service who was stationed on or within three miles of the Hawaiian Island of Oahu on December 7, 1941, during the enemy attack on Pearl Harbor and other related military installations may apply for special motor vehicle license plates for one vehicle he owns, either solely or jointly, as provided in this section. Any such person shall make application for the special license plates on a form provided by the director of revenue and pay an additional fee equal to the fee charged for personalized license plates in section 301.144 for the issuance of the license plates provided for herein. Applications for license plates issued under this section shall be accompanied by such proof of eligibility as the director may require.

2. Notwithstanding the provisions of section 301.130, each such license plate shall **bear the seal, logo or emblem of the Pearl Harbor Survivor's Association and shall** be embossed with the words "PEARL HARBOR SURVIVOR" at the bottom of the plate in the form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall be available for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or to nonlocal property-carrying commercial motor vehicles licensed for a gross weight of six thousand pounds up through and including twelve thousand pounds as provided in section 301.057.

3. No more than one set of Pearl Harbor survivor plates shall be issued to a qualified applicant. License plates issued under the provisions of this section shall not be transferable to any other person except as provided herein. Any registered coowner of a motor vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified applicant. Pearl Harbor survivor plates issued under the provisions of this section shall be transferable only to a widow or widower of a Pearl Harbor survivor.".

On motion of Representative Hosmer, House Amendment No. 4 was adopted.

Representative Montgomery offered House Amendment No. 5.

House Amendment No. 5

AMEND House Bill No. 1411, page 2, section 301.131, line 30, by inserting after said line the following:

"Section 1. All veterans' plates shall have a white background with a blue and red lettering, except that the purple heart license plate shall have purple lettering."

On motion of Representative Montgomery, House Amendment No. 5 was adopted.

Representative Bennett offered House Amendment No. 6.

House Amendment No. 6

AMEND House Bill No. 1411, Page 1, In the Title, Lines 2 through 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal sections 32.063, 301.050, 301.055, 301.080, 301.100, 302.740, 307.350, 307.353 and 307.355, RSMo 1994, and sections 301.030, 301.074, 301.131, 301.135, 301.144 and 302.181, RSMo Supp. 1995, relating to motor vehicles, and to enact in lieu thereof seventeen new sections relating to the same subject, with an effective date."; and

Further amend said bill, Page 1, Section A, Lines 1 through 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Sections 32.063, 301.050, 301.055, 301.080, 301.100, 302.740, 307.350, 307.353 and 307.355, RSMo 1994, and sections 301.030, 301.074, 301.131, 301.135, 301.144 and 302.181, RSMo Supp. 1995, are repealed and seventeen new sections enacted in lieu thereof, to be known as sections 32.063, 301.030, 301.050, 301.055, 301.074, 301.080, 301.100, 301.131, 301.135, 301.144, 302.181, 302.740, 307.350, 307.353, 307.355, 1 and 2, to read as follows:"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"32.063. 1. The director of revenue, [his] **the director's** employees or agents [may] **shall** accept credit cards in payment of taxes and fees. The type of credit cards accepted shall be at the discretion of the director.

2. In addition to other fees provided by law, the director of revenue may set a fee to be added to each credit card transaction equal to the charge paid by the state or the taxpayer for the use of the credit card by the taxpayer. No other fees shall be imposed other than those herein authorized.

301.030. 1. The director shall provide for the retention of license plates by the owners of motor vehicles, other than commercial motor vehicles, and shall establish a system of registration on a monthly series basis to distribute the work of registering motor vehicles**, other than commercial motor vehicles,** as uniformly as practicable throughout the [twelve] **twenty-four** months of [the calendar year] **a biennial period**. For the purpose of assigning license plate numbers, each type of motor vehicle shall be considered a separate class. Commencing July 1, 1949, motor vehicles, other than commercial motor vehicles, shall be registered for a period of [twelve] **twenty-four** consecutive calendar months. There are established [twelve] **twenty-four** registration periods, each of which shall start on the first day of each calendar month of the **first** year **of the biennial period** and shall end on the last date of the [twelfth] **twenty-fourth** month from the date of beginning.

2. Motor vehicles, other than commercial motor vehicles, operated for the first time upon the public highways of this state, to and including the fifteenth day of any given month, shall be subject to registration and payment of a fee for the [twelve-month] **twenty-four-month** period commencing the first day of the month of such operation; motor vehicles, other than commercial motor vehicles, operated for the first time on the public highways of this state after the fifteenth day of any given month shall be subject to registration and payment of a fee for the [twelve-month] **twenty-four-month** period commencing the first day of the next following calendar month.

3. All commercial motor vehicles and trailers, except those licensed under section 301.035 and those operated under agreements as provided for in sections 301.271 to 301.279, shall be registered either on a calendar year basis or on a prorated basis as provided in this section. The fees for commercial motor vehicles, trailers, semitrailers, and driveaway vehicles, other than those to be operated under agreements as provided for in sections 301.271 to 301.279 shall be payable not later than the last day of December of each year, except when such vehicle is licensed between April first and July first the fee shall be three-fourths the annual fee, when licensed between July first and October first the fee shall be one-half the annual fee and when licensed on or after October first the fee shall be one-fourth the annual fee. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Local commercial motor vehicle license plates shall also be so stamped, marked or designed as to indicate they are to be used only on local commercial motor vehicles and, in addition to such stamp, mark or design the letter "F" shall also be displayed on local commercial motor vehicle license plates issued to motor vehicles used for farm or farming transportation operations as defined in section 301.010 in the manner prescribed by the advisory committee established in section 301.129. In addition, all commercial motor vehicle license plates shall be so stamped or marked with a letter, figure or other emblem as to indicate the gross weight for which issued.

4. The director shall, upon application, issue registration and license plates for nine thousand pounds gross weight for property-carrying commercial motor vehicles referred to herein, upon payment of the fees prescribed for twelve thousand pounds gross weight as provided in section 301.057.

301.050. **1.** All registration fees shall be payable to the director of revenue and shall accompany the application for registration. A penalty fee of five dollars shall be paid on all delinquent registrations. Any motor vehicle on which the [annual] registration fee falls due prior to September 1, 1984, and which is delinquent shall thereafter be registered by the department of revenue to renew that [annual] registration at the fee in effect when the [annual] registration was due plus the penalty provided in this section.

2. Beginning July 1, 1997, all offices and locations wherein registration fees are paid shall accept at least one major credit card for the payment of such fees pursuant to section 32.063, RSMo.

301.055. The [annual] **biennial** registration fee for motor vehicles other than commercial motor vehicles is:

Less than 12 horsepower .....[$18.00]
$36.00
12 horsepower and less than 24 horsepower .....[21.00]
42.00
24 horsepower and less than 36 horsepower .....[24.00]
48.00
36 horsepower and less than 48 horsepower .....[33.00]
66.00
48 horsepower and less than 60 horsepower .....[39.00]
78.00
60 horsepower and less than 72 horsepower .....[45.00]
90.00
72 horsepower and more .....[51.00]
102.00
Motorcycles .....[8.50]
17.00
Motortricycles .....[10.00]
20.00

301.074. License plates issued under sections 301.071 to 301.075 shall be valid for the duration of the veteran's disability. Each such applicant issued license plates under these provisions shall [annually] **biennially** furnish proof of vehicle inspection and proof of disability to the director, except that an applicant whose service connected disability qualifying him for special license plates consists in whole or in part of loss of an eye or a limb or an applicant with a one hundred percent permanent disability, as established by a physician's signed statement to that effect, need only furnish proof of disability to the director when initially applying for the special license plates and not thereafter, but in such case proof that the veteran is alive shall be required [annually] **biennially**. Each person qualifying under sections 301.071 to 301.075 may license only one motor vehicle under these provisions. No commercial motor vehicle in excess of twenty-four thousand pounds gross weight may be licensed under the provisions of sections 301.071 to 301.075.

301.080. 1. Upon application for registration of a motor vehicle, other than a commercial motor vehicle, by an owner who holds license plates in a registration period which has expired, the director shall register said vehicle for the fraction of the [twelve-month] **twenty-four-month** period as will enable the owner to use the license plates so held by [him] **the owner**, and [he] **such owner** shall be required to pay a fee computed on the basis of [one-twelfth] **one-twenty-fourth** of the full [year's] **biennial period's** registration fee prescribed for such vehicles, multiplied by the number of months remaining in the registration period for which he shall be required to register. When the registration renewal is subject to the delinquent renewal penalty imposed by section 301.050, the owner shall file an affidavit of nonoperation for the months during which the license plates were expired or pay the full [twelve-month] **twenty-four-month** registration fee.

2. For new vehicles, other than commercial motor vehicles, not previously registered in this state, the fee shall be computed on the basis of [one-twelfth] **one-twenty-fourth** of the full year's registration fee prescribed for such vehicles, multiplied by the number of months of the current registration year which have not fully expired on the date of application. When ownership of a nonregistered vehicle, other than a commercial motor vehicle, which has not been previously operated on the public highways during the current registration [year] **biennial period**, is transferred, the registration fee to be paid by transferee shall be computed as provided above for new vehicles, providing a satisfactory affidavit of such nonoperation is filed with the department of revenue. In the case of a new vehicle, a vehicle not previously registered in Missouri, or a vehicle which is transferred, the legal date of application for registration shall be the date on which such vehicle was first operated on the public highways after it was acquired by the applicant; provided, however, if the bill of sale is dated prior to the date the vehicle was placed in operation, the applicant must file an affidavit of nonoperation, provided the later date is fractional in the computation of the registration fee.

301.100. 1. Motor vehicles not previously registered in Missouri and operated for the first time on the public highways of this state may be initially registered for less than a [twelve-month] **twenty-four-month** period at the director's option, when in [his] **the director's** judgment such fractional registration period shall tend to fulfill the purpose of the monthly series registration system.

2. Upon expiration of the initial fractional registration periods, motor vehicles so registered shall thereafter be registered for [twelve-month] **twenty-four-month** periods as provided in section 301.030.

3. Application for registration of a motor vehicle not previously registered in Missouri, operated for the first time on the public highways of this state, and previously registered in another state shall be made within thirty days after the owner of such motor vehicle has become a resident of this state."; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"301.135. Any motor vehicle which is eligible for permanent registration pursuant to the provisions of section 301.131 may also be licensed by the owner thereof with personalized license plates in the same manner as that otherwise provided by law. Such registration and license plates shall be made and issued only upon the payment of [an annual] **a biennial** fee equivalent to that regularly charged for personalized license plates in addition to the one-time permanent registration fee authorized by section 301.131. Such license plates may have a tab or other identifying characteristics to readily show the year for which issued.

301.144. 1. The director of revenue shall establish and issue special personalized license plates containing letters or numbers or combinations of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any person desiring to obtain a special personalized license plate for any motor vehicle other than a commercial motor vehicle licensed for more than twelve thousand pounds shall apply to the director of revenue on a form provided by the director and shall pay a fee of [fifteen] **thirty** dollars in addition to the regular registration fees. The director of revenue shall issue rules and regulations setting the standards and establishing the procedure for application for and issuance of the special personalized license plates and shall provide a deadline each [year] **biennial period** for the applications. No rule or regulation promulgated pursuant to this section shall become effective until approved by the joint committee on administrative rules. No two owners shall be issued identical plates. An owner shall make a new application and pay a new fee each [year] **biennial periods** he desires to obtain or retain special personalized license plates; however, notwithstanding the provisions of subsection 8 of section 301.130 to the contrary, the director shall allow the special personalized license plates to be replaced with new plates every three years without any additional charge, above the fee established in this section, to the renewal applicant. Any person currently in possession of an approved personalized license plate shall have first priority on that particular plate for each of the following [years] **biennial periods** that timely and appropriate application is made.

2. No personalized license plates shall be issued containing any letters, numbers or combination of letters and numbers which are obscene, profane, inflammatory or contrary to public policy. The director may recall any personalized license plates, including those issued prior to August 28, 1992, if he determines that the plates are obscene, profane, inflammatory or contrary to public policy. Where the director recalls such plates under the provisions of this subsection, he shall reissue personalized license plates to the owner of the motor vehicle for which they were issued at no charge, if the new plates proposed by the owner of the motor vehicle meet the standards established under this section. Nothing contained in this subsection shall be interpreted to prohibit the use of license plates, which are no longer valid for registration purposes, as collector's items or for decorative purposes.

3. The director may also establish categories of specialized personalized license plates from which license plates may be issued. Any such person that desires a special personalized license plate from any such category shall pay the same additional fee and make the same kind of application as that required by subsection 1 of this section, and the director shall issue such plates in the same manner as other special personalized license plates are issued.

4. The director of revenue shall issue to residents of the state of Missouri who hold an unrevoked and unexpired official amateur radio license issued by the Federal Communications Commission, upon application and upon payment of the additional fee specified in subsection 1 of this section, special personalized license plates bearing the official amateur radio call letters assigned by the Federal Communications Commission to the applicant. The application shall be accompanied by an affidavit stating that the applicant has an unrevoked and unexpired amateur radio license issued by the Federal Communications Commission and the official radio call letters assigned by the Federal Communications Commission to the applicant.

5. Notwithstanding any other provision to the contrary, any business listed in subsection 1 of section 301.570 that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the fees presently required of a manufacturer, distributor, or dealer in section 301.560. Such placard shall bear a number and shall be in such form as the director of revenue shall determine, and shall be only used for demonstrations when displayed substantially as provided for number plates on the rear of the motor vehicle or trailer.

302.181. 1. The license issued under the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge or duplicate any license without ready detection. All licenses [shall] **may** bear the licensee's social security number[, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a social security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 or 5 of this section] **at the option of the licensee**. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address, and brief description and colored photograph of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and

format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240, RSMo, the name and address of the person designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. [For all licenses issued or renewed after March 1, 1992, the applicant's social security number shall serve as his license number. Where] **If** the licensee has no social security number[, or where the licensee is issued a license without a social security number in accordance with subsection 4 or 5 of this section,] **or the licensee chooses not to use the licensee's social security number as a license number** the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a social security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit [his] **the operator's** license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. [The director of revenue shall issue a commercial driver's license without a social security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement on forms prescribed and made available by the department of revenue which states that the applicant is a member of a specified religious denomination which prohibits the use of identification numbers by members as being contrary to its religious tenets.

5. The director of revenue shall issue a noncommercial driver's license without a social security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the social security number on the license. The director shall assign an identification number, that is not based on a social security number, to the applicant which shall be displayed on the license in lieu of the social security number.

6.] The director of revenue shall issue a license without the photograph to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement on forms prescribed and made available by the department of revenue which states that the applicant is a member of a specified religious denomination which prohibits photographs of members as being contrary to its religious tenets. The license shall state thereon that no photograph is required because of the religious affiliation of the licensee. The director of revenue shall establish guidelines and furnish to each circuit court such forms as the director deems necessary to comply with this subsection. The circuit court shall not charge or receive any fee or court cost for the performance of any duty or act pursuant to this subsection.

[7.] **5.** The department of revenue may issue a temporary license without the photograph to out-of-state applicants and members of the armed forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have [his] **the applicant's** picture taken and a license with [his] **the applicant's** photograph issued.

[8.] **6.** The department of revenue shall issue upon request a nondriver's license card containing essentially the same information as is on the driver's license upon payment of seven dollars and fifty cents if the applicant is under the age of sixty-five. An applicant who is sixty-five years of age or older may purchase a nondriver's license card without a photograph for one dollar or a nondriver's license card with a photograph for seven dollars and fifty cents. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

[9.] **7.** No rule or portion of a rule promulgated [under] **pursuant to** the authority of this chapter shall become effective until it has been approved by the joint committee on administrative rules in accordance with the procedures provided herein, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided herein.

[10.] **8.** Upon filing any proposed rule with the secretary of state, the filing agency shall concurrently submit such proposed rule to the committee, which may hold hearings upon any proposed rule or portion thereof at any time.

[11.] **9.** A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty-day period, the filing agency may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

[12.] **10.** The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following

grounds:

(1) An absence of statutory authority for the proposed rule;

(2) An emergency relating to public health, safety or welfare;

(3) The proposed rule is in conflict with state law;

(4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based.

[13.] **11.** If the committee disapproves any rule or portion thereof, the filing agency shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

[14.] **12.** If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratifies the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

[15.] **13.** Upon adoption of a rule as provided herein, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the constitution, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.

302.740. 1. The commercial driver's license shall be manufactured of materials and processes that will prohibit as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. Such license shall include, but not be limited to, the following information: a colored photograph of the person, the legal name and address of the person, a physical description of the person, including sex, height, weight and eye color, the person's social security number **provided at the option of the licensee** or such other number or identifier deemed appropriate by the director or the secretary, the date of birth, class or type of commercial motor vehicle or vehicles which the person is authorized to drive, the name of this state, and the words "COMMERCIAL DRIVER'S LICENSE" or "CDL", the dates of issuance and expiration, the person's signature and such other information as the director prescribes.

2. Before issuing a commercial driver's license, the director shall obtain driving record information from sources including, but not limited to, the national driver's register or the commercial driver's license information system of any state in which the person has been licensed.

3. Within ten days after issuing a commercial driver's license, the director shall notify the commercial driver's license information system of such fact, providing all information required to ensure identification of the person. For the purpose of this subsection, the date of issuance shall be the date the commercial driver's license is mailed to the applicant.

4. The commercial driver's license shall indicate the class of vehicle the person may drive and any applicable endorsements or restrictions. Commercial driver's license classifications, endorsements and restrictions shall be in compliance with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570) and those prescribed by the director.

307.350. 1. The owner of every motor vehicle as defined in section 301.010, RSMo, which is required to be registered in this state, except:

(1) New motor vehicles which have not been previously titled and registered, prior to the initial motor vehicle registration or the next succeeding registration which is required by law;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered under section 301.131, RSMo; shall submit such **commercial motor** vehicles to an annual inspection [of their] **and such motor vehicles other than commercial motor vehicles to a biennial inspection. Such inspections shall be of the motor vehicle's** mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for [annual] registration or within sixty days of when a vehicle's registration is transferred. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as

prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of his choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a set of any special personalized license plates available under section 301.144, RSMo, or a set of any license plates available under section 301.142, RSMo, prior to the expiration date of such motor vehicle's current [annual] registration.

307.353. Other provisions of law notwithstanding, no person shall be required to have [an annual] **a commercial motor** vehicle [inspection] **inspected** during a registration period which exceeds one year **or a motor vehicle other than a commercial motor vehicle inspected during a registration period which exceeds two years**. The inspection required at the beginning of the registration period shall be valid for the entire registration period.

307.355. 1. No state registration license to operate the type of vehicle required to be inspected by section 307.350 may be transferred or issued unless the application for the transfer of a license or the application for [annual] registration is accompanied by a current certificate of inspection and approval issued not more than sixty days prior to the date of the application, or, in the cases of school buses, the current certificate of inspection and approval issued at the time provided in section 307.375 next preceding the date of application, except:

(1) The director of revenue may transfer or issue a state registration license to the type of vehicle required to be inspected by section 307.350 without a certificate of inspection and approval accompanying the application if the director has satisfactory evidence that the vehicle was not in the state of Missouri at any time during the sixty days prior to the date of application; however, the owner of every such vehicle must submit the vehicle for inspection and obtain a certificate of inspection and approval within ten days after the vehicle is first returned to the state of Missouri.

(2) The director of revenue shall renew a vehicle's registration license without a certificate of inspection and approval accompanying the application if satisfactory documentary evidence is presented at the time of application that **either,** the license being renewed was properly transferred within a six-month period prior to the expiration of the license being renewed**,** or that the **commercial motor** vehicle for which the registration is being issued was issued a registration for a period of less than one year for the registration period just expiring **or that a motor vehicle other than a commercial vehicle for which the registration is being issued was issued a registration for a period of less than two years for the registration period just expiring**.

2. If due to interstate operation a commercial motor vehicle as defined in section 301.010, RSMo, or a trailer of the type required to be inspected is required to obtain full fee registration in this and any other state during the same calendar year, no Missouri certificate of inspection and approval is required if the vehicle bears evidence that a current valid inspection sticker or decal was issued by such other state in which the vehicle is registered; provided that the sticker or decal issued by such other state is valid for the registration period in this state.

3. After a commercial motor vehicle as defined in section 301.010, RSMo, has been registered for the current year, no certificate of inspection and approval is required when a local commercial motor vehicle license is changed to a beyond-local commercial motor vehicle license or when the licensed gross weight is changed during the licensed period.

Section 1. Any employee of the department of revenue who receives information or fees from a person when the person is receiving or renewing a driver's license or identification card shall inform such person that the person may choose not to use a social security number as such person's driver's license number or identification card number.

Section 2. All department of revenue offices and locations wherein a person receives or renews a driver's license or identification card shall prominently display, near the area of any such office or location where the person receives or renews such license or card, a sign which shall state substantially the following message in letters clearly visible to an observer fifteen feet from the sign: "Attention. Persons who are receiving or renewing a driver's license or identification card may choose not to use their social security number as their driver's license or identification card number".

Section B. Section A of this act shall become effective on January 1, 1997.".

Representative Bland offered House Amendment No. 1 to House Amendment No. 6.

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Bill No. 1411, page 3, section 301.030, line 10, by inserting immediately after the word beginning the following:

"**Applicants for the licenses may be allowed to pay the license fees in payments on a quarterly basis**" or payment scale that is best administered by the Department

Further amend accordingly.

Representative Bland moved that House Amendment No. 1 to House Amendment No. 6 be adopted.

Which motion was defeated.

Representative Murphy offered House Amendment No. 2 to House Amendment No. 6.

House Amendment No. 2

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Bill No. 1411, page 6, section 32.063, line 1, by adding after the period the following:

"Applicant shall pay credit card cost levied by issuer on the transaction."

Representative Murphy moved that House Amendment No. 2 to House Amendment No. 6 be adopted.

Which motion was defeated.

Representative Witt assumed the Chair.

HB 1411, as amended, with House Amendment No. 6, pending, was laid over.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

PRESENT: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagen-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins

Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

ABSENT WITH LEAVE: 007

Cierpiot	Garnett	Goward	Levin	Ribaudo
Wannenmacher	Ward			

VACANCY: 001

THIRD READING OF HOUSE BILL

HS HCS HBs 1320, 981, 1042, 1109 and 1250, relating to abortion, was taken up by Representative O'Connor.

On motion of Representative O'Connor, **HS HCS HBs 1320, 981, 1042, 1109 and 1250** was read the third time and passed by the following vote:

AYES: 114

Akin	Alter	Auer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farnen
Fiebelman	Foley	Foster	Froelker	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Keeven
Kelley 47	Kissell	Koller	Kreider	Leake
Legan	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
McBride	McClelland	Mitchell	Montgomery	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Secrest	Sheldon 104
Shields	Smith	Steen	Stoll	Summers
Surface	Thomason 163	Treadway	Vogel	Whiteside
Wieland	Wiggins	Williams 159	Wooten	

NOES: 042

Backer	Bland	Bray	Canuteson	Carter
Clayton	Daniel 42	Davis	Days	Farmer
Fitzwater	Ford	Franklin	Gunn	Hagan-Harrell
Harlan	Jacob	Kauffman	Kelly 27	Klumb
Lakin	Lumpe	May 108	Mays 50	McLuckie
Morgan	Murray 135	Relford	Schilling	Sears 1
Shear 83	Shelton 57	Skaggs	Sombart	Stokan
Tate	Thompson 37	Troupe	Van Zandt	Williams 121
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Garnett	Goward	Levin	Ribaudo	Wannenmacher

Ward

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Crum (112), title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORTS

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SB 728**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 728, Pages 1 and 2, Section 210.861, Lines 8 through 11, by deleting all of said lines and inserting in lieu thereof the following: "reappointed. In a city not within a county, **or in a county of the first classification with a charter form of government and a population of at least two hundred thousand that adjoins a county of the first classification with a charter form of government and a population of at least nine hundred thousand,** the members of the".

Committee on Fees and Salaries, Chairman Marshall (26) reporting:

Mr. Speaker: Your Committee on Fees and Salaries, to which was referred **SB 802**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 484**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 532**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 665**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 676**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SCS SB 806**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 826**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 845**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 845; Page 1, Section 246.305; Line 7, by deleting the words "**either of**"; and further amend said section, line 16 by deleting the word "**or**".

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 874**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 914**, begs leave to report it has examined the same and recommends that the **House Committee Substitute by Consent.**

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 945**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

CONFERENCE COMMITTEE REPORT
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE
FOR SENATE BILL NO. 687

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Substitute for Senate Bill No. 687, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill

No. 687, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 687;

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 687, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Wayne Goode
/s/ Rita Days	/s/ David Klarich
/s/ Pat Secrest	/s/ Mike Lybyer
/s/ Emmy McClelland	/s/ Betty Sims
Tim Green	/s/ John Schneider

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SB 687, as amended**, and has taken up and passed **CCS HCS SS SB 687**.

Emergency clause adopted.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1646, introduced by Representative Gaskill, relating to peace officer training.

HB 1647, introduced by Representative Smith, relating to nonconsensual common law liens.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 557 - Miscellaneous Bills

HR 774 - Miscellaneous Bills

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 25 - Correctional and State Institutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 500 - Budget

SB 669 - Motor Vehicle and Traffic Regulations

SB 759 - Insurance

SCS 777 - Civil and Criminal Law

MESSAGE FROM THE GOVERNOR

April 15, 1996

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

88TH GENERAL ASSEMBLY

SECOND REGULAR SESSION

STATE OF MISSOURI:

Herewith I return to you House Committee Substitute for House Bill No. 1259 entitled:

"AN ACT"

To repeal section 64.905, RSMo 1994, relating to planning and zoning in

certain counties, and to enact in lieu thereof four new sections relating to the

same subject, with an emergency clause for certain sections.

On April 12, 1996, I approved said House Committee Substitute for House Bill No. 1259.

Respectfully submitted,

/s/ Mel Carnahan

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, April 16, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-fifth Day, Thursday, April 11, 1996, page 18, by inserting after line 24, the following:

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 727 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1644 - Elections

HB 1645 - Ways and Means

Pages 4 and 5, roll call, by showing Representatives Reynolds and Richardson voting "aye" rather than "absent with leave".

Page 12, roll call, by showing Representatives Broach and Ross voting "no" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

Page 14, roll call, by showing Representative Liese voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 17, 1996, 1:30 pm. Hearing Room 9.

To be considered - SB 898

CHILDREN, YOUTH, AND FAMILIES

Wednesday, April 17, 1996, 8:00 am. Hearing Room 8.

To be considered - SB 488, Executive Session - SB 533, Executive Session - SB 569,

Executive Session - SB 763

CONSUMER PROTECTION

Tuesday, April 16, 1996, 8:30 am. Hearing Room 5.

To be considered - HB 1639, HB 949, SB 525

CORRECTIONAL & STATE INSTITUTIONS

Tuesday, April 16, 1996, 9:30 am. Room 310. Executive session.

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 16, 1996, 8:30 am. Hearing Rooms 1 and 2. Executive session to follow

on SS/SB 795,542 & 563

To be considered - HB 1555, HB 1603, SB 795, SB 926

INSURANCE

Tuesday, April 16, 1996. Hearing Room 7 upon morning adjournment. Executive session.

To be considered - SB 896

JOINT COMMITTEE ON HEALTH CARE POLICY AND PLANNING

Tuesday, April 16, 1996, 1:00 pm. Hearing Room 8. Evaluation of HB 564 (1993)

JUDICIARY AND ETHICS

Tuesday, April 16, 1996. Hearing Room 5 upon morning adjournment. Executive session may follow.

To be considered - SB 709, SB 526, SB 743

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 16, 1996, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - HB 1577, SB 499, SB 677

PUBLIC HEALTH AND SAFETY

Tuesday, April 16, 1996. Hearing Room 9 upon morning adjournment. Executive session to follow.

To be considered - SB 703, SB 916

STATE PARKS, RECREATION AND NATURAL RESOURCES

Tuesday, April 16, 1996. Room 411B upon noon adjournment. Executive session.

SUB-COMMITTEE ON ELEMENTARY & SECONDARY EDUCATION

Tuesday, April 16, 1996, 8:00 am. Hearing Rooms 1 and 2.

To be considered - SB 572

Fifty-sixth Day-Monday, April 15, 1996

HOUSE CALENDAR

FIFTY-SEVENTH TUESDAY, APRIL 16, 1996

HOUSE BILLS FOR SECOND READING

HB 1646 and HB 1647

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 57 - Scheve

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1186, HSA 1 for Part I of HA 2, Part I of HA 2, Part II of HA 2, HA 2, HS, as amended, pending - Hoppe
3 HB 839 - Luetkenhaus
4 HB 1411, HA 6 pending - Loudon
5 HCS HB 1149, 1150 & 1240 - Jacob
6 HCS HB 894 - Bray
7 HCS HB 1199, 1357 & 1393, Reynolds - Kissell
8 HB 1380 - Lumpe
9 HCS HB 1557 & 1489 - Days
10 HCS HB 987, 1155, 1158 & 1219 - Jacob
11 HCS HB 1403 - Dougherty
12 HB 1247 - Shelton (57)
13 HCS HB 1588 - Overschmidt
14 HB 944, HCA 1 - Smith
15 HB 1154 - Murray (69)
16 HCS HB 1540 - Green
17 HB 993 - Williams (121)
18 HB 854 - Bland
19 HB 1312 - Tate
20 HCS HB 843 - Daniels (41)
21 HB 1133 - Witt
22 HB 855 - Bland
23 HCS HB 830 & 1082 - Carter
24 HB 1228, HCA 1 - Harlan
25 HB 1279 - Tate
26 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell

HCS HB 829 & 1254 - May (108)
HB 1414, HCA 1 - Smith
HCS HB 960 - Rizzo
HB 1436, HCA 1 - Dougherty
HB 1399, HCA 1 - Leake
HCS HB 1112 - Koller
HCS HB 1204 - Wiggins
HB 816, HCA 1 - Backer
HCS HB 961 - Boucher
HB 1535 - Kissell
HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
HCS HB 1429 - Liese
HCS HB 1143 - Witt
HB 856, HCA 1 - Bland
HB 1310 - Tate
HCS HB 1175, 1120 & 797 - Gratz
HCS HB 912 & 1108 - Treadway
HB 1579, HCA 1 - Skaggs
HB 1562 - Witt
HCS HB 1374 - Scheve
HB 801, HCA 1 - Schilling
HB 1443, HCA 1, HCA 2 - Prost
HB 1289 - Liese
HCS HB 1278 & 1277 - May (108)
HB 1590, HCA 1 - Harlan
HB 1145 - Shear (83)
HCS HB 1115 - Montgomery
HCS HB 1206 & 1484 - Hosmer
HB 1575 - Loudon
HB 1180 - Williams (159)
HB 1080, HCA 1 - Troupe
HCS HB 1430 & 1165 - Hosmer
HCS HB 1000 - Treadway
HCS HB 840 & 841 - Luetkenhaus
HB 833, HCA 1 - Dougherty
HCS HB 1465 - Hoppe
HB 1245 - Farmer
HCS HB 867, 893 & 1401 - Morgan
HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HOUSE BILLS FOR THIRD READING

HB 782, (Budget Fiscal 3-20-96) - Stokan

Fifty-sixth Day-Monday, April 15, 1996

SENATE BILLS FOR THIRD READING - CONSENT

SB 693 - Leake
SB 720 - Heckemeyer
SB 929 - Stoll
SB 811 - Days (71)
SCS SB 694 - Harlan
SB 850 - Rizzo
SB 702, E.C. - Lumpe
SB 830 - Harlan
SB 930, HCA 1 - Treadway
SB 940 - Ribaudo
SB 527 - Harlan
HCS SB 947 - Graham
SB 766 - Leake
HCS SB 900 - Hagan-Harrell
SS SB 740, HCA 1 - Backer
SCS SB 662, HCA 1 - Williams (159)
SB 530, E.C. - Sheldon (104)
SB 837 - Luetkenhaus
SB 630 - Sears (1)
HCS SB 870, E.C. - Koller

21 SB 491, HCA 1 - Hosmer
22 HCS SB 835 - Hosmer
23 SB 605, HCA 1 - Lakin
24 SCS SB 668, HCA 1 - Hosmer
25 SB 846 - Childers
26 SB 883, E.C. - Auer
27 HCS SCS SB 657 - Legan
28 SCS SB 758 - Backer
29 SB 792, HCA 1 - Legan
30 HCS SCS SB 598 - Long
31 SCS SB 670, HCA 1 - Childers
32 SB 728, HCA 1 - Luetkenhaus
33 SB 802 - Backer

BILLS IN CONFERENCE

CCR HCS SS SB 687, as amended, E.C. - Lumpe

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HOUSE CONCURRENT RESOLUTIONS

HCR 10, (4-3-96 pgs. 13 & 14) - Rizzo

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HCR 11, (4-4-96 pgs. 3 & 4) - Marble

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 347, (3-28-96, pgs. 11 & 12) - Prost

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 -

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-SEVENTH DAY, Tuesday, April 16, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"Give up your anger, and forsake wrath; be not vexed, it will only harm you.

For evildoers shall be cut off, but those who wait for the Lord shall possess the land." (Ps. 36.5)

Today we commemorate Yom Shoah, the day of commemoration for the Holocaust. We pray to you, the God of life, for continued healing, especially the peace and healing that can only come from forgiveness.

We include today prayer about the continuation of the kind of attitude and mind-set that breeds genocide and its relatives, racial and ethnic hatred and that arrogance that presumes that our group is the only one that is right.

The Jewish and Christian faith share a common belief that we are all created in your image, God, male and female, and each major world religion and our basic human instinct tell us that there is something divine, something holy in all of us, despite the evidence we have of those who cannot find that divine spark in their own soul. We pray for the continued conversion of heart through our surrender to your authority, gracious God, and the medical advances that can cure the sources of evil in our bodies and the disturbance in the human mind that bring us so much evil.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Karen Roach, Jeff Kuhlengel, Brandi Thomas, Chris Nobles, Randa Robb, Ashley Flanagan, Kurt Fuemmeler, David Schmidt, Cassandra Bosslet, Brent Ebl, Bart Towers, Melinda Brda, Meaghan Crow, Ryan Curry, Adam Duke, Allison Swaters, Jared Westhusing, Becky Rotert, Theron Eye, Becky Goth, Mark Goth, Joshua Huffman, Christopher Smith, Frank Atwell, Seth Atwell, Jesse Atwell, Christopher Allen, Stephanie Allen, Theresa Creel, Audrey Cunningham, Nikki Warden, Susan Blum, Royce Hoehn, Brian Harrison, Rhonda Dunlap, Joshua Reynolds, Amy Krueger, Chris O'Neal, Jennfer De Jong, Sarah McCrary, Samantha McCrary, Nathan Pogue, Abigail Morton, Jesse Morton, Heather Rybak, Kenneth Dunek, Andrea Friess, Tia Haas, Mike Robbins, Nickey Robbins, Nathan Huckaba, Tony Huckaba, Amy Henke, Diana Criscione, Sarah Bradford, Stephen Long, Nicole Cash, Abi Kissinger, Ryan Cash, Katrina Caldwell, Jonathan Whitwell and David Whitwell.

The Journal of the fifty-sixth day was approved as corrected.

RESOLUTIONS

Representative Surface offered House Resolution No. 786, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 787, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Marshall (133) offered House Resolution No. 788, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 789, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1646 and **HB 1647** were read the second time.

PERFECTION OF HOUSE BILLS

HB 1411, **as amended, with HA 6, pending**, relating to motor vehicle license plates, was again taken up by Representative Loudon.

House Amendment No. 6 was again taken up by Representative Bennett.

Representative Kissell offered House Amendment No. 3 to House Amendment No. 6.

House Amendment No. 3

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Bill No. 1411, page 3, section 301.030, line 15 from the top of said page by inserting after the word "[twelve-month]" the following:

"**twelve or**"; and

Further amend said page, line 20, by inserting immediately after the word "[twelve-month]" the following:

"**twelve or**"; and

Further amend said bill, page 6, section 301.055, line 2 of said section, by inserting after the word "is" and above the first column of fees the following:

"**one year**" and insert over the second column of fees the following "**two year**"; and further amend said section by removing the brackets around the fees in the first column; and

Further amend said page, section 301.074, line 4 of said section, by removing the brackets around the word "annually" and by inserting after the word "annually" the following:

"**or**"; and

Further amend said bill, page 7, section 301.080, line 5 of said section, by inserting immediately after the word "[twelve-month]" the following:

"**twelve or**"; and

Further amend said section, line 8 of said section, by deleting said line, and by inserting in lieu thereof the following:

"of one-twelfth **or one-twenty -fourth** of the full year's **or biennial**"; and

Further amend said bill, page 9, section 301.100, line 4 of said section, by inserting immediately after the word "[twelve-month]" the following:

"**twelve or**"; and

Further amend said section, line 10 of said section by deleting said line, and by inserting in lieu thereof the following:

"**registered for twelve or twenty four month period as**"; and

Further amend page 10, line 3, after the word [annual] the following:

"**annual or**"; and

Further amend page 11, line 2, after the word [year] the following:

"**year or**"; and

Further amend page 11, line 6, after the word [year] the following:

"**year or**"

On motion of Representative Kissell, House Amendment No. 3 to House Amendment No. 6 was adopted.

The Speaker assumed the Chair.

Representative Bennett moved that House Amendment No. 6, as amended, be adopted.

Which motion was defeated by the following vote:

AYES: 027

Akin	Ballard	Bennett 15	Broach	Chrismer
Cierpiot	Clayton	Foster	Gross	Hall
Hand	Hohulin	Howerton	Kissell	Klumb
Linton	Lograsso	Loudon	Marshall 133	Murphy
Naeger	Pryor	Richardson	Ridgeway	Schwab
Scott	Treadway			

NOES: 124

Alter	Auer	Backer	Barnett 4	Barry
Bartelsmeyer	Bland	Boatright	Bonner	Boucher
Bray	Brown	Burton	Canuteson	Carter
Champion	Childers	Cooper	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Koller	Kreider	Lakin	Leake	Levin
Liese	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Pauley	Pouche	Prost
Relford	Reynolds	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Van Zandt
Vogel	Ward	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

PRESENT: 002

Legan	Wieland

ABSENT WITH LEAVE: 009

Copeland	Froelker	Goward	Griesheimer	Overschmidt
Ribaudo	Steen	Troupe	Wannenmacher	

VACANCY: 001

Speaker Pro Tem Daniels resumed the Chair.

Representative McBride offered House Amendment No. 7.

House Amendment No. 7

AMEND House Bill No. 1411, page 2, section 301.131, line 30, by inserting after said line the following:

Section 1. 1. Any motor vehicle assembled by a two- or four-year institution of higher education exclusively utilizing "solar power" and built to compete in a national competition organized to foster interest in solar energy shall be registered and licensed by the director, other laws regulating licensing of motor vehicles to the contrary, notwithstanding.

2. Such institution shall file an application in a form prescribed by the director, verified by affidavit, that such vehicle meets the requirements of subsection 1 of this section.

3. The plate issued by the director shall be the "collegiate plate" of the institution and shall display the term "solar" in a manner prescribed by the director.

4. The institution shall pay the applicable fees as determined by the director.

On motion of Representative McBride, House Amendment No. 7 was adopted.

Representative Pouche offered House Amendment No. 8.

House Amendment No. 8

AMEND House Bill No. 1411, Page 2, Section 301.131, by adding immediately after said section the following:

"301.451. **Beginning January 1, 1997,** any person who has been awarded the purple heart medal may apply for special motor vehicle license plates for any vehicle [he] **the person** owns, either solely or jointly, other than commercial vehicles weighing over twelve thousand pounds. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the purple heart medal as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof, with the words "PURPLE HEART" in place of the words "SHOW-ME STATE" in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. [There shall be an additional fee charged for each set of special purple heart license plates issued equal to the fee charged for personalized license plates.] **There shall be no additional fee charged for the issuance of any set of special purple heart license plate.** No more than two sets of purple heart license plates shall be issued to a qualified applicant. License plates issued [under] **pursuant to** the provisions of this section shall not be transferable to any other person except that any registered coowner of the motor vehicle shall be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person."; and

Further amend said title and enacting clause accordingly.

Representative Pouche moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Marble offered House Amendment No. 9.

House Amendment No. 9

AMEND House Bill No. 1411, page 2, section 301.131, line 30, by inserting after said line the following:

301.448. Any person who has served and was honorably discharged or currently serves in any branch of the United States armed forces or reserves, the United States Coast Guard or reserve, the United States Merchant Marines or reserve or the Missouri national guard, or any subdivision of any of such services**, including the Legion of Valor,** or a member of the United States Marine Corps League may apply for special motor vehicle license plates, either solely or jointly, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or to nonlocal property-carrying commercial motor vehicles licensed for a gross weight of six thousand pounds up through and including twelve thousand pounds as provided in section 301.057. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof that such person is a member or former member of any such branch of service as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department shall issue personalized license plates which shall bear the seal, logo or emblem, along with a word or words designating the branch or subdivision of such service for which the person applies. All seals, logos, emblems or special symbols shall become an integral part of the license plate; however, no plate shall contain more than one seal, logo, emblem or special symbol and the design of such plates shall be approved by the advisory committee established in section 301.129 and by the branch or subdivision of such service or the Marine Corps League prior to issuing such plates. The plates shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129. The bidding process used to select a vendor for the material to manufacture the license plates authorized by this section shall consider the aesthetic appearance of the plate. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms. The director of revenue shall not authorize the manufacture of the material to produce such license plates with the individual seal, logo, or emblem until such time he has received one hundred applications for such plates for each branch or subdivision of such service, **except for Legion of Valor plates which shall have no minimum application requirement.** License plates indicating army reserve, naval reserve, air force reserve, marine corps reserve, coast guard reserve, issued prior to January 1, 1994, will still be in full force and effect until such time the one hundred minimum applications for such branch of service is met. All license plates issued under this provision must be renewed in accordance with law. License plates issued under the provisions of this section shall not be transferable to any other person, except that any registered caner of the motor vehicle shall be entitled to operate the motor vehicle for the duration of the year licensed, in the event of the death of the qualified applicant." and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Marble, House Amendment No. 9 was adopted.

Representative Wooten offered House Amendment No. 10.

House Amendment No. 10

AMEND House Bill No. 1411, Page 1, In the Title, Line 2, by deleting the following: "section 301.131, RSMo Supp. 1995, is" and inserting in lieu thereof the following: "sections 301.069, 301.456 and 307.350, RSMo 1994, and sections 301.064, 301.130, 301.131, 301.142, 301.441, 301.443, 301.444, 301.445, 301.447, 301.451, 301.453 and 301.457, RSMo Supp. 1995, are"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "fourteen new sections"; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting immediately after the word "subject" the following: ", with an effective date"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the following: "Section 301.131, RSMo Supp. 1995, is repealed and one new section" and inserting in lieu thereof the following: "sections 301.069, 301.456 and 307.350, RSMo 1994, and sections 301.064, 301.130, 301.131, 301.142, 301.441, 301.443, 301.444, 301.445, 301.447, 301.451 and 301.453, RSMo Supp. 1995, are repealed and fourteen new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "section 301.131" and inserting in lieu thereof the following: "sections 301.064, 301.069, 301.130, 301.131, 301.142, 301.441, 301.443, 301.444, 301.445, 301.447, 301.451, 301.453, 301.456, 301.457 and 307.350"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting immediately after said line the following:

"301.064. 1. The annual registration fee for a land improvement contractors' commercial motor vehicle is three hundred and fifty dollars. The maximum gross weight for which such a vehicle may be registered is seventy-three thousand two hundred and eighty pounds. Transporting for hire by such a motor vehicle is prohibited.

2. Upon application to the director of revenue accompanied by an affidavit signed by the owner or owners stating that the motor vehicle to be licensed as a land improvement contractors' commercial motor vehicle shall not be operated in any manner other than as prescribed in section 301.010, and by the amount of the registration fee prescribed above, and otherwise complying with the laws relating to the registration and licensing of motor vehicles, the owner or owners shall be issued a [set of] land improvement contractors' license [plates] **plate**. The advisory committee established in section 301.129 shall determine the characteristic features of land improvement contractors' license plates so that they may be readily identified as such, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Any rule or portion of a rule promulgated pursuant to sections 301.010, 301.057, 301.058, and 301.064 may be suspended by the committee on administrative rules until such time as the general assembly may by concurrent resolution reinstate such rule.

301.069. For each driveaway license there shall be paid an annual license fee of forty-four dollars and fifty cents for one [set of plates] **plate** or such insignia as the director may issue which shall be attached to the motor vehicle as prescribed in this chapter. For single trips the fee shall be four dollars, and descriptive insignia shall be prepared and issued at the discretion of the director who shall also prescribe the type of equipment used to attach such vehicles in combinations.

301.130. 1. The director of revenue, upon receipt of a proper application for registration, required fees and any other information which may be required by law, shall issue to the applicant a certificate of registration in such manner and form as the director of revenue may prescribe and a [set of] **single** license [plates] **plate**, or other evidence of registration, as provided in this section. Unless otherwise provided by law, each license plate [or set of license plates] issued, renewed or replaced on or after January 1, 1997, shall contain the following:

(1) The name or abbreviated name of this state;

(2) The words "Show-me State";

(3) The month and year in which the registration shall expire;

(4) An arrangement of numbers or letters, or both, as shall be assigned from year to year by the director of revenue; and

(5) Fully reflective material with a common color scheme and design for each type of license plate issued under this chapter, which shall be designated by an advisory committee established in section 301.129. The license plates shall be clearly visible at night, and shall be aesthetically attractive. Except as otherwise provided in this section, in addition to all other fees required by law, applicants for registration of vehicles with license plates that expire between January 1, 1997, and December 31, 1997, applicants for registration of

trailers or semitrailers with license plates that expire between January 1, 1997, and December 31, 1999, and applicants for registration of vehicles that are to be issued new license plates shall pay an additional fee of up to two dollars and twenty-five cents, based on the actual cost of the reissuance, to cover the cost of the fully reflective plates required by this subsection. Notwithstanding the provisions of subsection 3 of section 301.067 to the contrary, every license plate for a trailer or semitrailer which is permanently registered under subsection 3 of section 301.067 shall be returned to the director of revenue between January 1, 1997, and December 31, 1997, and a license plate which conforms to the provisions of this subsection issued as a replacement plate upon the payment of a one dollar and fifteen cent fee per plate prescribed by this subdivision. The additional fee, based on the actual cost, prescribed by this subdivision shall only be one dollar and fifteen cents for issuance of one new plate for vehicles requiring only one license plate pursuant to subsection 5 or 7 of this section. The additional fee of two dollars and twenty-five cents prescribed in this subsection shall not be charged to persons receiving special license plates issued under section 301.073 or 301.443. The department of revenue shall adopt a program whereby all motor vehicle registrations renewed on or after January 1, 1997, will have replacement reflective plates issued for such registration prior to January 1, 2000. Special plates for qualified disabled veterans will have the "DISABLED VETERAN" wording on the license plates in preference to the words "Show-me State" and special plates for members of the national guard will have the "NATIONAL GUARD" wording in preference to the words "Show-me State". Veterans plates shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129.

2. The arrangement of letters and numbers of license plates shall be uniform throughout each classification of registration.

3. The competitive bidding process used to select a vendor for the material to manufacture the license plates shall consider the aesthetic appearance of the plates and the reflective illumination capability for safety reasons. The advisory committee established in section 301.129 shall adopt specifications for all reflective material. The competitive bidding request for proposal shall contain a deduction in the amount of twenty-eight cents per plate from the cost of the reflective sheeting. The committee may select graphic designs or any of the plate processes approved on January 1, 1997.

4. Figures on license plates, except those which may be used to designate gross weights for which commercial motor vehicles are registered, shall be of a size set by the advisory committee established in section 301.129. In the case of motorcycles, motortricycles and trailers that are pulled by motorcycles or motortricycles, the letters and figures shall be of a size set by the advisory committee. The advisory committee may provide for the arrangement of the numbers in groups or otherwise, and for other distinguishing marks on the plates.

5. All property-carrying commercial motor vehicles to be registered at a gross weight in excess of twelve thousand pounds, all passenger-carrying commercial motor vehicles, local transit buses, school buses, trailers, semitrailers, motorcycles, motortricycles, motorscooters and driveaway vehicles shall be registered with the director of revenue as provided for in subsection 3 of section 301.030, but only one license plate shall be issued for each such vehicle, except as provided in this subsection. The applicant for registration of any property-carrying commercial motor vehicle to be registered at a gross weight in excess of twelve thousand pounds or passenger-carrying commercial motor vehicle may request and be issued two license plates for such vehicle, and if such plates are issued, the director of revenue may assess and collect an additional charge from the applicant in an amount not to exceed the fee prescribed for personalized license plates in subsection 1 of section 301.144.

6. The plates issued to manufacturers and dealers shall bear the letter "D" preceding the number, and the advisory committee may require the placement upon the plates other letters or marks to distinguish commercial motor vehicles and trailers and other types of motor vehicles.

7. No motor vehicle or trailer shall be operated on any highway of this state unless it shall have displayed thereon the license plate [or set of license plates] issued by the director of revenue and authorized by section 301.140. Each such plate shall be securely fastened to the motor vehicle in a manner so that all parts thereof shall be plainly visible and reasonably clean so that the reflective qualities thereof are not impaired. License plates shall be fastened to all motor vehicles except trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds on the front and rear of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up. The license plates on trailers, motorcycles, motortricycles and motorscooters shall be displayed on the rear of such vehicles, with the letters and numbers thereon right side up. The license plate on buses, other than school buses, and on trucks, tractors, truck tractors or truck-tractors licensed in excess of twelve thousand pounds shall be displayed on the front of such vehicles not less than eight nor more than forty-eight inches above the ground, with the letters and numbers thereon right side up, or if two plates are issued for the vehicle pursuant to subsection 5 of this section, displayed in the same manner on the front and rear of such vehicles. The license plate or plates authorized by section 301.140, when properly attached, shall be prima facie evidence that the required fees have been paid.

8. (1) The director of revenue shall issue annually a tab or set of tabs as evidence of the annual payment of registration fees and the current registration of a vehicle in lieu of the [set] of [plates] **plate**.

(2) The vehicle owner to whom a tab or set of tabs is issued shall affix and display such tab or tabs in the designated area of the license plate, no more than one per plate.

(3) A tab or set of tabs issued by the director when attached to a vehicle in the prescribed manner shall be prima facie evidence that the registration fee for such vehicle has been paid.

(4) Except as provided in subdivision (1) of this subsection, the director of revenue shall issue plates for a period of at least five years.

(5) For those commercial motor vehicles registered pursuant to an agreement under section 301.277, the plate issued by the director of revenue shall be a permanent nonexpiring license plate for which no tabs shall be issued. Nothing in this section shall relieve the owner of any vehicle permanently registered under this section from the obligation to pay the annual registration fee due for the vehicle. The permanent nonexpiring license plate shall be returned to the director of revenue upon the sale or disposal of the vehicle by the owner to whom the permanent nonexpiring license plate is issued, or the plate may be transferred to a replacement commercial motor vehicle when the owner files a supplemental application with the Missouri highway reciprocity commission for the registration of such replacement commercial motor vehicle. Upon payment of the annual registration fee, the director of revenue shall issue a certificate of registration or other suitable evidence of payment of the annual fee, and such evidence of payment shall be carried at all times in the vehicle for which it is issued.

(6) Upon the sale or disposal of any vehicle permanently registered under this section, or upon the termination of a lease of any such vehicle, the permanent nonexpiring plate issued for such vehicle shall be returned to the director and shall not be valid for operation of such vehicle, or the plate may be transferred to a replacement vehicle when the owner files a supplemental application with the Missouri highway reciprocity commission for the registration of such replacement vehicle. If a vehicle which is permanently registered under this section is sold, wrecked or otherwise disposed of, or the lease terminated, the registrant shall be given credit for any unused portion of the annual registration fee when the vehicle is replaced by the purchase or lease of another vehicle during the registration year.

9. The director of revenue may prescribe rules and regulations for the effective administration of this section.

10. Any rule or portion of a rule promulgated pursuant to this section may be suspended by the joint committee on administrative rules if after hearing thereon the committee finds that such rule or portion of the rule is beyond or contrary to the statutory authority of the agency which promulgated the rule, or is inconsistent with the legislative intent of the authorizing statute. The general assembly may reinstate such rule by concurrent resolution signed by the governor."; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"301.142. 1. As used in this section the term "physically disabled" means a natural person who is a blind person, as defined in section 8.700, RSMo, a natural person who has been diagnosed by a licensed physician to have acquired immunodeficiency syndrome (Aids), or a natural person with disabilities which limit or impair the ability to walk, as determined by a licensed physician as follows:

(1) The person cannot walk fifty feet without stopping to rest; or

(2) The person cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device; or

(3) Is restricted by lung disease to such an extent that the person's forced respiratory expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest; or

(4) Uses portable oxygen; or

(5) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association; or

(6) Is severely limited in his ability to walk due to an arthritic, neurological, or orthopedic condition.

2. "Temporarily disabled person" means a physically disabled person whose disability or incapacity can be expected to last for not more than one hundred eighty days.

3. Owners of motor vehicles who are residents of the state of Missouri, and who are physically disabled, owners of motor vehicles operated at least fifty percent of the time by a physically disabled person, or owners of motor vehicles used to transport physically disabled members of the owner's household may obtain disabled person license plates. Such owners, upon application, accompanied by the documents and fees provided for in this section, and by state motor vehicle laws relating to registration and licensing of motor vehicles shall be issued motor vehicle license plates for vehicles, other than commercial vehicles with a gross weight in excess of twenty-four thousand pounds, upon which shall be inscribed the international wheelchair accessibility symbol and the word "disabled" in addition to a combination of letters and numbers. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Handicapped parking places may only be used when a physically disabled occupant is in the motor vehicle at the time of parking or when a physically disabled person is being delivered or collected by a properly marked vehicle which is parked for the

sole use of the physically disabled person. No vehicle shall park in the access aisle. Such parking violation shall be an infraction. The use of a vehicle displaying a disabled license plate or windshield placard to park in a parking space designated for the disabled by a person not transporting the individual for whom the license or placard was issued shall be an infraction. Upon conviction thereof, violators shall be punished by a fine of not less than fifty dollars nor more than two hundred dollars.

4. No additional fee shall be paid to the director of revenue for the issuance of the special license plates provided in this section, except for special personalized license plates and other license plates described in this subsection. Priority for any specific [set of] special license [plates] **plate** shall be given to the applicant who received the number in the immediately preceding license period subject to his compliance with the provisions of this section and any applicable rules or regulations issued by the director. If determined feasible by the advisory committee established in section 301.129, any special license plate issued under this section may be adapted to also include the international wheelchair accessibility symbol and the word "disabled" as prescribed in subsection 3 of this section and such plate may be issued to any applicant who meets the requirements of this section and the other appropriate provision of this chapter, subject to the requirements and fees of the appropriate provision of this chapter.

5. Any physically disabled person, or the parent or guardian of any such person, or any not for profit group, organization, or other entity which transports more than one physically disabled person, may apply to the director of revenue for a removable windshield placard to be hung from the rearview mirror of a parked motor vehicle. When there is no rearview mirror, the placard shall be displayed on the dashboard on the driver's side. The removable windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for each removable windshield placard shall be two dollars and the removable windshield placard shall be renewed every year. Only one removable placard may be issued to an applicant who has been issued disabled person license plates. Upon request, one additional windshield placard shall be issued to an applicant who has not been issued disabled person license plates. A temporary windshield placard shall be issued to any physically disabled person, or the parent or guardian of any such person who otherwise qualifies except that the physical disability, in the opinion of the physician, is not expected to exceed a period of one hundred eighty days. The temporary windshield placard shall conform to the specifications, in respect to size, color, and content, as set forth in federal regulations published by the Department of Transportation. The fee for the temporary windshield placard shall be two dollars. Upon request, one additional temporary windshield placard shall be issued to an applicant. Temporary windshield placards shall be issued upon presentation of the physician's statement provided by this section and shall be displayed in the same manner as removable windshield placards.

6. Application for license plates or windshield placards issued pursuant to this section shall be made to the director of revenue and shall be accompanied by a statement signed by a licensed physician which certifies that the applicant, user, or member of the applicant's household is a physically disabled person as defined by this section. The physician's statement shall be on a form prescribed by the director of revenue which shall include the physician's license number. If it is the professional opinion of the physician who issues the statement that the physical disability of the applicant, user, or member of the applicant's household is permanent, this must be noted on the statement. In such instances, the applicant shall present the physician's statement which states that his disability is permanent to the director of revenue the first time he applies for license plates or a removable windshield placard. The applicant shall not be required to obtain a new physician's statement each time that he applies for or renews license plates or a removable windshield placard; but, the applicant must present a physician's statement each time he applies for a temporary windshield placard or renews a temporary windshield placard. Such physician's statement must state the expiration date for the temporary windshield placard. If the physician fails to record an expiration date on the physician's statement, the director shall issue the temporary windshield placard for a period of thirty days.

7. Where the owner's application is based on the fact that the vehicle is used at least fifty percent of the time by a physically disabled person, the applicant shall submit an affidavit stating this fact, in addition to the physician's statement. The affidavit shall be signed by both the owner of the vehicle and the physically disabled person. The applicant shall be required to submit this affidavit with each application for license plates.

8. The director of revenue shall enter into reciprocity agreements with other states for the purpose of recognizing disabled person license plates or windshield placards issued to physically disabled persons in those states.

9. When a person to whom disabled person license plates or a removable or temporary windshield placard or both have been issued dies, the personal representative of such person shall return the plates or placards or both to the director of revenue under penalty of law. The director of revenue may order any person issued disabled person license plates or windshield placards to submit to an examination by a chiropractor, osteopath, or physician, or to such other investigation as will determine whether such person qualifies for the special plates or placards. If such person refuses to submit or is found to no longer qualify for special plates or placards provided for in this section, the director of revenue shall collect the special plates or placards, and shall furnish license plates to replace the ones collected as provided by this chapter.

10. In the event a removable or temporary windshield placard is lost, stolen, or mutilated, the lawful holder thereof shall, within five days, file with the director of revenue an application and an affidavit stating such fact, in order to purchase a new placard. The fee for the replacement windshield placard shall be two dollars.

301.441. Any person who is a retired member of the United States Army, Navy, Air Force, Marine Corps or Coast Guard may apply for issuance of special motor vehicle license plates for any passenger motor vehicle subject to the registration fees provided in section 301.055, or for a nonlocal property carrying commercial motor vehicle licensed for a gross weight of nine thousand one pounds to twelve thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. Such person shall make application for the special license plates on a form provided by the director of revenue, furnish such proof of retired status from that particular branch of the United States armed forces as the director may require, and pay an additional fee for each [set of] special license [plates] **plate** issued equal to the fee charged for personalized license plates. The plates shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129. The director shall then issue license plates bearing the words "RETIRED MILITARY" in preference to the words "SHOW-ME STATE" in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

301.443. 1. Any legal resident of the state of Missouri who is a veteran of service in the armed forces of the United States and has been honorably discharged from such service and who is a former prisoner of war and any legal resident of the state of Missouri who is a former prisoner of war and who was a United States citizen not in the armed forces of the United States during such time is, upon filing an application for registration together with such information and proof in the form of a statement from the United States Veterans Administration or the Department of Defense or any other form of proof as the director may require, entitled to receive annually one certificate of registration and one [set of] license [plates] **plate** or other evidence of registration as provided in section 301.130 for a motor vehicle other than a commercial motor vehicle licensed in excess of twelve thousand pounds gross weight. There shall be no fee charged for license plates issued under the provisions of this section.

2. Not more than one certificate of registration and one corresponding [set of] motor vehicle license [plates] **plate** or other evidence of registration as provided in section 301.130 shall be issued each year to a qualified former prisoner of war under this section.

3. Proof of ownership and vehicle inspection of the particular motor vehicle for which a registration certificate and [set of] license [plates] **plate** is requested must be shown at the time of application. Proof of status as a former prisoner of war as required in subsection 1 of this section shall only be required on the initial application.

4. As used in this section, "former prisoner of war" means any person who was taken as an enemy prisoner during World War I, World War II, the Korean conflict, or the Vietnam conflict.

5. The director shall furnish each former prisoner of war obtaining a [set of] license [plates] **plate** under the provisions of subsections 1 to 4 of this section special plates which shall have the words "FORMER P.O.W." on the license plates in preference to the words "SHOW-ME STATE" as provided in section 301.130 in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

6. Registration certificates and license plates issued under the provisions of this section shall not be transferable to any other person except that any registered coowner of the motor vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified former prisoner of war.

7. (1) Notwithstanding the provisions of subsection 6 of this section to the contrary, the surviving spouse of a former prisoner of war who has not remarried and who has been issued license plates described in subsection 5 of this section shall be entitled to transfer such license plates to the motor vehicle of the surviving spouse and receive annually one certificate of registration and one [set of] license [plates] **plate** or other evidence of registration as provided in section 301.130 as if a former prisoner of war until remarriage. There shall be no fee charged for the transfer of such license plates.

(2) The department of revenue shall promulgate rules for the obtaining of a [set of] license [plates] **plate** described in subsection 5 of this section by the surviving spouse of the former prisoner of war when such license plates are not issued prior to the death of the former prisoner of war. The surviving spouse shall be entitled to receive annually one certificate of registration and one [set of] license [plates] **plate** or other evidence of registration as provided in section 301.130 as if a former prisoner of war until remarriage. There shall be no fee charged for the license plates issued pursuant to this subdivision.

301.444. 1. Owners or a joint owner of motor vehicles who are residents of the state of Missouri, and who are directors of a fire protection district or who are compensated, partially compensated or volunteer members of any fire department, fire protection district or voluntary fire protection association in this state, upon application accompanied by affidavit as prescribed in this section, complying with the state motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of a fee as prescribed in this section, shall be issued a [set of] license [plates] **plate** for noncommercial vehicles or a commercial motor vehicle licensed for no more than twelve thousand pounds. The license plates shall be inscribed with a variation of the Maltese cross that signifies the universally recognized symbol for firefighters. In addition, upon such [set of] license

[plates] **plate** shall be inscribed, in lieu of the words "Show-me State", the word "FIREFIGHTER" in addition to a combination of letters and numbers in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

2. Applications for license plates issued under this section shall be made to the director of revenue and shall be accompanied by an affidavit stating that the applicant is a person described in subsection 1 of this section. Any person who is lawfully in possession of such plates who resigns, is removed, or otherwise terminates or is terminated from his association with such fire department, fire protection district or voluntary fire protection association shall return such special plates to the director within fifteen days.

3. An additional annual fee equal to that charged for personalized license plates in section 301.144 shall be paid to the director of revenue for the issuance of the license plates provided for in this section.

301.445. Any person who has been awarded the combat infantry badge may apply for special motor vehicle license plates for any vehicle he owns, either solely or jointly, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of nine thousand one pounds up through and including twelve thousand pounds as provided in section 301.057. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the combat infantry badge as the director may require. The director shall then issue license plates bearing the words "COMBAT INFANTRYMAN" in place of the words "SHOW-ME STATE" in a form prescribed by the advisory committee established in section 301.129, except that such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the combat infantry badge. There shall be an additional fee charged for each [set of] special combat infantry badge license [plates] **plate** issued equal to the fee charged for personalized license plates in section 301.144. No more than one [set of] combat infantry badge license [plates] **plate** shall be issued to a qualified applicant. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered coowner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

301.447. 1. Any member of the United States Military Service who was stationed on or within three miles of the Hawaiian Island of Oahu on December 7, 1941, during the enemy attack on Pearl Harbor and other related military installations may apply for special motor vehicle license plates for one vehicle he owns, either solely or jointly, as provided in this section. Any such person shall make application for the special license plates on a form provided by the director of revenue and pay an additional fee equal to the fee charged for personalized license plates in section 301.144 for the issuance of the license plates provided for herein. Applications for license plates issued under this section shall be accompanied by such proof of eligibility as the director may require.

2. Notwithstanding the provisions of section 301.130, each such license plate shall be embossed with the words "PEARL HARBOR SURVIVOR" at the bottom of the plate in the form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material, shall have a white background with a blue and red configuration at the discretion of the advisory committee established in section 301.129, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall be available for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055, or to nonlocal property-carrying commercial motor vehicles licensed for a gross weight of six thousand pounds up through and including twelve thousand pounds as provided in section 301.057.

3. No more than one [set of Pearl Harbor survivor plates] **plate** shall be issued to a qualified applicant. License plates issued under the provisions of this section shall not be transferable to any other person except as provided herein. Any registered coowner of a motor vehicle will be entitled to operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified applicant. Pearl Harbor survivor plates issued under the provisions of this section shall be transferable only to a widow or widower of a Pearl Harbor survivor.

301.451. Any person who has been awarded the purple heart medal may apply for special motor vehicle license plates for any vehicle he owns, either solely or jointly, other than commercial vehicles weighing over twelve thousand pounds. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the purple heart medal as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof, with the words "PURPLE HEART" in place of the words "SHOW-ME STATE" in a form prescribed by the advisory committee established in section 301.129. Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. There shall be an additional fee charged for each [set of] special purple heart license [plates] **plate** issued equal to the fee charged for personalized license plates. No more than two [sets of] purple heart license plates shall be issued to a qualified applicant. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered coowner of the motor vehicle shall be entitled to operate the motor vehicle for the duration of the year

licensed in the event of the death of the qualified person.

301.453. 1. Any member of the general assembly of the state of Missouri while holding office, upon application and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, may apply for special personalized license plates bearing the state seal in gold and black colors along with the words "Representative" or "Senator" in preference to the words "Show-Me State". The director of revenue shall annually set aside special personalized license plates bearing the letters and numbers S-1 to S-34 and S01 to S034, R-1 to R-163 and R01 to R0163 to be issued to a member of the general assembly of the state of Missouri while such member is holding that office, upon such member's written request. For the first [set of] special personalized license [plates] **plate** issued to a member of the general assembly, such plates shall bear the letter "S" and the number of the senator's district for a member of the state senate or the letter "R" and the number of the representative's district for a member of the house of representatives and for the second [set of plates] **plate** issued to a member of the general assembly, such plates shall bear the letter "S" and the number of the senator's district preceded by the numeral "0" for a member of the state senate or the letter "R" and the number of the representative's district preceded by the numeral "0" for a member of the house of representatives. Only two [sets of] such plates may be issued to any one member of the general assembly.

2. Any member of the United States Congress while he is holding that office, upon his written request and upon a payment of the additional fee required for personalized plates in section 301.144, may apply for special personalized license plates bearing the state seal in gold and black along with the words "Member of Congress" instead of the words "Show-Me State" and either the letters and numbers "USS1" and "USS2" for the senior and junior United States senators from Missouri, respectively, or, in the case of members of the United States House of Representatives, bearing the letters "USC" together with the number of the representative's district. Only one [set of] such [plates] **plate** may be issued to any one individual congressman.

3. The director shall annually set aside special personalized license plates bearing the state seal in gold and black and the numbers 1, 2, 3, 4, 5, and 6 along with the words "Governor", "Lieutenant Governor", "Secretary of State", "State Auditor", "State Treasurer" and "Attorney General" in preference to the words "Show-Me State" to be issued to the governor, lieutenant governor, secretary of state, state auditor, state treasurer, and attorney general, respectively, upon written request and upon payment of the fee required for personalized license plates in section 301.144, and other fees and documents as may be required by law. These plates shall be held by the appropriate public official only while such person remains in that office. Upon leaving that office the public official shall surrender the personalized license plates to the director, who shall make them available as provided in this subsection to the succeeding public official.

4. All special license plates issued under this section shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130.

301.456. Any person who has been awarded the military service award known as the "Silver Star" may apply for special motor vehicle license plates for any vehicle such person owns, either solely or jointly, for issuance either to passenger motor vehicles subject to the registration fees provided in section 301.055 or for a nonlocal property-carrying commercial motor vehicle licensed for a gross weight of nine thousand one pounds to twelve thousand pounds as provided in section 301.057. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof as a recipient of the silver star as the director may require. The director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "SILVER STAR" in place of the words "SHOW-ME STATE". Such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130. Such plates shall also bear an image of the silver star. There shall be an additional fee charged for each [set of] silver star license [plates] **plate** issued pursuant to this section equal to the fee charged for personalized license plates. No more than one [set of] silver star license [plates] **plate** shall be issued to a qualified applicant. License plates issued under the provisions of this section shall not be transferable to any other person except that any registered coowner of the motor vehicle shall be entitled to operate the motor vehicle with such plates for the duration of the year licensed in the event of the death of the qualified person.

301.457. Any person who served in the Vietnam conflict and either currently serves in any branch of the United States armed forces or was honorably discharged from such service may apply for special motor vehicle license plates, either solely or jointly, for issuance either for any passenger motor vehicle subject to the registration fees provided in section 301.055 or for a nonlocal property carrying commercial motor vehicle licensed for a gross weight of nine thousand one pounds to twelve thousand pounds as provided in section 301.057, whether such vehicle is owned solely or jointly. Any such person shall make application for the special license plates on a form provided by the director of revenue and furnish such proof of service in the Vietnam conflict and status as currently serving in a branch of the armed forces of the United States or as an honorably discharged veteran as the director may require. Upon presentation of the proof of eligibility and annual payment of the fee required for personalized license plates prescribed by section 301.144, and other fees and documents which may be required by law, the director shall then issue license plates bearing letters or numbers or a combination thereof as determined by the advisory committee established in section 301.129, with the words "VIETNAM VETERAN" in place of the words "SHOW-ME STATE". Such plates shall also bear an

image of the Vietnam service medal. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. No more than one [set of] special license [plates] **plate** shall be issued pursuant to this section to a qualified applicant. License plates issued pursuant to this section shall not be transferable to any other person except that any registered coowner of the motor vehicle may operate the motor vehicle for the duration of the year licensed in the event of the death of the qualified person.

307.350. 1. The owner of every motor vehicle as defined in section 301.010, RSMo, which is required to be registered in this state, except:

(1) New motor vehicles which have not been previously titled and registered, prior to the initial motor vehicle registration or the next succeeding registration which is required by law;

(2) Those motor vehicles which are engaged in interstate commerce and are proportionately registered in this state with the Missouri highway reciprocity commission, although the owner may request that such vehicle be inspected by an official inspection station, and a peace officer may stop and inspect such vehicles to determine whether the mechanical condition is in compliance with the safety regulations established by the United States Department of Transportation; and

(3) Historic motor vehicles registered under section 301.131, RSMo; shall submit such vehicles to an annual inspection of their mechanism and equipment in accordance with the provisions of sections 307.350 to 307.390 and obtain a certificate of inspection and approval and a sticker, seal, or other device from a duly authorized official inspection station. The inspection, except the inspection of school buses which shall be made at the time provided in section 307.375, shall be made at the time prescribed in the rules and regulations issued by the superintendent of the Missouri state highway patrol; but the inspection of a vehicle shall not be made more than sixty days prior to the date of application for annual registration or within sixty days of when a vehicle's registration is transferred. The certificate of inspection and approval shall be a sticker, seal, or other device or combination thereof, as the superintendent of the Missouri state highway patrol prescribes by regulation and shall be displayed upon the motor vehicle or trailer as prescribed by the regulations established by him. The replacement of certificates of inspection and approval which are lost or destroyed shall be made by the superintendent of the Missouri state highway patrol under regulations prescribed by him.

2. For the purpose of obtaining an inspection only, it shall be lawful to operate a vehicle over the most direct route between the owner's usual place of residence and an inspection station of his choice, notwithstanding the fact that the vehicle does not have a current state registration license. It shall also be lawful to operate such a vehicle from an inspection station to another place where repairs may be made and to return the vehicle to the inspection station notwithstanding the absence of a current state registration license.

3. No person whose motor vehicle was duly inspected and approved as provided in this section shall be required to have the same motor vehicle again inspected and approved for the sole reason that such person wishes to obtain a [set of any] special personalized license [plates] **plate** available under section 301.144, RSMo, or a [set of any] license [plates] **plate** available under section 301.142, RSMo, prior to the expiration date of such motor vehicle's current annual registration.

Section B. Section A of this act shall become effective on January 1, 1997.".

Representative Wooten moved that House Amendment No. 10 be adopted.

Which motion was defeated by the following vote:

AYES: 044

Akin	Ballard	Bartelsmeyer	Bennett 15	Champion
Chrismer	Clayton	Davis	Donovan	Elliott
Evans	Garnett	Gratz	Green	Hartzler 123
Hartzler 124	Hegeman	Hohulin	Howerton	Kasten
Klumb	Kreider	Legan	Lograsso	Marble
Marshall 133	May 108	Mitchell	Murphy	Naeger
O'Neill	O'Toole	Richardson	Rizzo	Robirds
Sallee	Schilling	Schwab	Scott	Secrest
Sheldon 104	Shelton 57	Skaggs	Wooten	

NOES: 101

Alter	Auer	Backer	Barnett 4	Barry
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Cierpiot
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Days	Dougherty	Edwards-Pavia	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Gaskill	Gibbons	Graham
Gross	Gunn	Hand	Harlan	Heckemeyer
Hendrickson	Hickey	Hoppe	Jacob	Kauffman

Keeven	Kelley 47	Kelly 27	Kissell	Koller
Lakin	Leake	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Mays 50	McBride	McClelland	McLuckie	Montgomery
Morgan	Murray 69	Murray 135	Nordwald	Oetting
Ostmann	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ridgeway	Ross	Scheve
Sears 1	Shear 83	Shields	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Childers	Daniel 42	Froelker	Goward
Griesheimer	Hagan-Harrell	Hall	Hosmer	O'Connor
Overschmidt	Ribaudo	Steen	Troupe	Wannenmacher
Ward	Witt			

VACANCY: 001

Representative Dougherty offered House Amendment No. 11.

House Amendment No. 11

AMEND House Bill No. 1411, Page 1, In the Title, Line 2, by inserting immediately after the word "repeal" the following: "section 301.260, RSMo 1994, and"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting immediately after the word "Section" the following: "301.260, RSMo 1994, and section"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the following: "is repealed and one new section" and inserting in lieu thereof the following: "are repealed and two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "section 301.131," and inserting in lieu thereof the following: "sections 301.131 and 301.260"; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"301.260. 1. The director of revenue shall issue certificates for all cars owned by the state of Missouri and shall assign to each of such cars two plates bearing the words: "State of Missouri, official car number ....." (with the number inserted thereon), which plates shall be displayed on such cars when they are being used on the highways. No officer or employee or other person shall use such a motor vehicle for other than official use.

2. Beginning January 1, 1997, all license plates issued pursuant to this section to any motor vehicle used by a department or division of this state shall bear a designation authorized by the director of revenue. The designation shall provide notice as to which specific division or department has been assigned the use of the motor vehicle. The director shall authorize suitable designations pursuant to this subsection at a date no later than January 1, 1997.

[2.] **3.** Motor vehicles used as ambulances, patrol wagons and fire apparatus, owned by any municipality of this state, shall be exempt from all of the provisions of sections 301.010 to 301.440 while being operated within the limits of such municipality, but the municipality may regulate the speed and use of such motor vehicles owned by them; and all other motor vehicles owned by municipalities, counties and other political subdivisions of the state shall be exempt from the provisions of sections 301.010 to 301.440 requiring registration, proof of ownership and display of number plates; provided, however, that there shall be displayed on each side of such motor vehicle, in letters not less than three inches in height with a stroke of not less than three-eighths of an inch wide, the name of such municipality, county or political subdivision, the department thereof, and a distinguishing number. Provided, further, that when any motor vehicle is owned and operated exclusively by any school district and used solely for transportation of school children, the commissioner shall assign to each of such motor vehicles two plates bearing the words "School Bus, State of Missouri, car no. ....." (with the number inserted thereon), which plates shall be displayed on such motor vehicles when they are being used on the highways. No officer, or employee of the municipality, county or subdivision, or any other person shall operate such a motor vehicle unless the same is marked as herein provided, and no officer, employee or other

person shall use such a motor vehicle for other than official purposes.

[3.] **4.** For registration purposes only, a public school or college shall be considered the temporary owner of a vehicle acquired from a new motor vehicle franchised dealer which is to be used as a courtesy vehicle or a driver training vehicle. The school or college shall present to the director of revenue a copy of a lease agreement with an option to purchase clause between the authorized new motor vehicle franchised dealer and the school or college and a photo copy of the front of the dealer's vehicle manufacturer's statement of origin, and shall make application for and be granted a nonnegotiable certificate of ownership and be issued the appropriate license plates. Registration plates are not necessary on a driver training vehicle when the motor vehicle is plainly marked as a driver training vehicle while being used for such purpose and such vehicle can also be used in conjunction with the activities of the educational institution.

[4.] **5.** As used in this section, the term "political subdivision" is intended to include any township, road district, sewer district, school district, municipality, town or village, and any interstate compact agency which operates a public mass transportation system.".

On motion of Representative Dougherty, House Amendment No. 11 was adopted.

Representative Dougherty offered House Amendment No. 12.

House Amendment No. 12

AMEND House Bill No. 1411, Page 1, In the Title, Line 3, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "section 301.131" and inserting in lieu thereof the following: "sections 301.131 and 1"; and

Further amend said bill, Page 2, Section 301.131, Line 30, by inserting immediately after said line the following:

"**Section 1. 1. Any hospital located in the state of Missouri may authorize the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such hospital derived from this section, except reasonable administrative costs, shall be used by the hospital for charitable purposes, except as provided in subsection 3 of this section. Any vehicle owner may annually apply to the hospital for the use of the emblem. Upon annual application and payment of an emblem use contribution to the hospital, which shall be twenty-five dollars, the hospital shall issue to the vehicle owner, without further charge, an "emblem use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, RSMo, and other fees and documents which may be required by law, and upon the satisfaction of subsection 2 of this section, the department of revenue shall issue a personalized license plate, which shall bear the seal, emblem or logo of the hospital, to the vehicle owner. The license plate authorized by this section shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo. The license plate authorized by this section shall be issued with a design approved by both the hospital and the director of revenue. A vehicle owner, who was previously issued a plate with a hospital emblem authorized by this section and does not provide an emblem use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the hospital emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms including establishing a minimum number of license plates which can be issued with the authorized emblem of a participating hospital.**

2. The department of revenue shall not begin issuing any license plates pursuant to this section until such time as a minimum number of one hundred and fifty such license plates have been requested.

3. Any contribution to the cardinal glennon children's hospital derived from this section, except reasonable administrative costs, shall be deposited in the cardinal glennon charity care fund.".

Representative Dougherty moved that House Amendment No. 12 be adopted.

Which motion was defeated.

Representative Ross offered House Amendment No. 13.

House Amendment No. 13

AMEND House Bill No. 1411, page 2, section 301.131, line 30, by inserting after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number

plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of fifteen days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within fifteen days. The director shall issue a temporary permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not more than twenty days of the date of purchase.

4. The temporary permit or paper plate shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary plates or permits available to registered dealers in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a period of twenty days from the date of issuance by the director of revenue to the purchaser of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate as set out above.

5. The permit or plate shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable him to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. [Commercial motor vehicles and trailers displaying a permit or paper plate issued under this section must be operated while empty except for its mounted equipment.] Permits or paper plates issued under this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit and plate.

6. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to the buyer. The dealer shall also insert his dealer's number on the paper plate. Every dealer that issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct record of each permit or plate issued by him by recording the permit or plate number, buyer's name and address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used, and the date of issuance."

On motion of Representative Ross, House Amendment No. 13 was adopted.

Representative O'Toole offered House Amendment No. 14.

House Amendment No. 14

AMEND House Bill No. 1411, page 2, section 301.131, line 30, by inserting after all of said line the following:

"**Section 1. In addition to the requirements set forth pursuant to section 301.130, each set of license plates of every vehicle of this state shall indicate the county of which the owner of the vehicle is a resident.**"; and

Further amend title and enacting clause accordingly.

Representative O'Toole moved that House Amendment No. 14 be adopted.

Which motion was defeated by the following vote:

AYES: 055

Boucher	Broach	Brown	Champion	Childers
Cierpiot	Clayton	Cooper	Crum 112	Crump 152
Davis	Dougherty	Farmer	Farnen	Foley

Franklin	Hagan-Harrell	Harlan	Hegeman	Hickey
Hohulin	Hoppe	Hosmer	Kauffman	Keeven
Kissell	Lakin	Liese	Luetkenhaus	Marble
May 108	Mays 50	Morgan	Murray 69	O'Connor
O'Neill	O'Toole	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Sallee	Scheve	Schilling
Sears 1	Sheldon 104	Skaggs	Stokan	Stoll
Summers	Treadway	Williams 121	Williams 159	Wooten

NOES: 091

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Bray	Burton	Canuteson
Carter	Chrismer	Copeland	Daniel 42	Daniels 41
Days	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Fiebelman	Fitzwater	Ford	Foster
Garnett	Gaskill	Gibbons	Graham	Gratz
Gross	Gunn	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hendrickson	Kasten	Kelley 47
Kelly 27	Klumb	Koller	Kreider	Leake
Legan	Levin	Linton	Lograsso	Long
Loudon	Marshall 133	McBride	McClelland	McLuckie
Mitchell	Montgomery	Murphy	Murray 135	Nordwald
Oetting	Ostmann	Pauley	Pouche	Prost
Pryor	Relford	Robirds	Schwab	Scott
Secrest	Shear 83	Shelton 57	Shields	Smith
Sombart	Surface	Tate	Thomason 163	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Witt

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 016

Froelker	Goward	Green	Griesheimer	Howerton
Jacob	Lumpe	Marshall 26	Naeger	Overschmidt
Ribaudo	Steen	Thompson 37	Troupe	Wannenmacher

Ward

VACANCY: 001

On motion of Representative Loudon, **HB 1411, as amended,** was ordered perfected and printed by the following vote:

AYES: 117

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bonner	Bray
Broach	Burton	Canuteson	Carter	Champion
Childers	Cierpiot	Cooper	Crum 112	Crump 152
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Green	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Keeven	Kelley 47	Kissell
Koller	Lakin	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 133	May 108	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Ross	Sallee	Scheve	Schwab	Sears 1
Secrest	Sheldon 104	Shields	Skaggs	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 028

Bland	Boucher	Brown	Clayton	Copeland
Daniel 42	Daniels 41	Davis	Fitzwater	Gratz
Gunn	Hagan-Harrell	Harlan	Hendrickson	Kauffman
Kelly 27	Klumb	Kreider	Mays 50	Murphy
Murray 135	O'Neill	Relford	Robirds	Schilling
Shear 83	Shelton 57	Smith		

PRESENT: 000

ABSENT WITH LEAVE: 017

Akin	Boatright	Chrismer	FarmerFroelker	Goward
Griesheimer	Liese	Marshall 26	Overschmidt	Ribaudo
Scott	Steen	Thompson 37	Troupe	
Wannenmacher				

Ward

VACANCY: 001

HB 839, relating to transient employers, was taken up by Representative Luetkenhaus.

Representative Luetkenhaus offered **HS HB 839.**

HB 838, with HS, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Patrick J. Hickey V, Chelsie Ferguson, Tuffer Weidner, Emily Hawkins and Kevin Corcoran.

RESOLUTIONS

Representative Pouche offered House Resolution No. 790, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Witt offered House Resolution No. 791, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution Nos. 792 through 794, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Schilling, et al, offered House Resolution No. 795, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears (1) offered House Resolution No. 796, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HB 1241 and HCS HB 1185**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

HOUSE CONCURRENT RESOLUTION

HCR 11, relating to indian gaming, was taken up by Representative Marble.

On motion of Representative Marble, **HCR 11** was adopted by the following vote:

AYES: 137

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Champion	Childers	Cierpiot	Clayton

Cooper	Copeland	Crum 112	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 010

Auer	Carter	Davis	Days	Dougherty
Gunn	O'Neill	Reynolds	Thompson 37	Troupe

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Chrismer	Crump 152	Daniel 42	Daniels 41
Ford	Goward	Hickey	Jacob	O'Toole
Ribaudo	Steen	Stoll	Wannenmacher	Ward

VACANCY: 001

Representative Auer assumed the Chair.

HOUSE RESOLUTION

HR 347, relating to Texas independence, was taken up by Representative Prost.

On motion of Representative Prost, **HR 347** was adopted.

HOUSE CONCURRENT RESOLUTION

HCR 10, relating to southern growth policies board, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HCR 10** was adopted.

The Speaker resumed the Chair.

BILL IN CONFERENCE

CCR HCS SS SB 687, as amended, relating to special school district, was taken up by Representative Lumpe.

Representative Lumpe moved that **CCR HCS SS SB 687**, as amended, be adopted.

Which motion was defeated by the following vote:

AYES: 078

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bland	Boatright	Boucher	Bray
Broach	Brown	Burton	Carter	Childers
Chrismer	Cierpiot	Cooper	Daniel 42	Daniels 41
Days	Donovan	Elliott	Enz	Evans
Farmer	Foster	Froelker	Garnett	Gaskill

Gibbons	Graham	Hagan-Harrell	Hall	Hand
Hartzler 124	Hegeman	Hendrickson	Howerton	Kasten
Kauffman	Kelley 47	Lakin	Legan	Levin
Linton	Lograsso	Long	Loudon	Lumpe
Marble	Marshall 133	McClelland	Mitchell	Morgan
Murphy	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Sallee	Scheve	Schwab	Scott	Secrest
Shear 83	Shields	Smith	Sombart	Steen
Summers	Surface	Thompson 37		

NOES: 076

Auer	Barry	Bennett 15	Bonner	Canuteson
Champion	Clayton	Copeland	Crum 112	Crump 152
Davis	Dougherty	Edwards-Pavia	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Gratz
Green 123	Griesheimer	Gross	Harlan	Hartzler
Heckemeyer	Hickey	Hohulin	Hoppe	Hosmer
Jacob	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Leake	Liese	
Luetkenhaus				
Marshall 26	May 108	Mays 50	McBride	McLuckie
Montgomery	Murray 69	Murray 135	O'Connor	O'Neill
O'Toole	Overschmidt	Pauley	Prost	Relford
Reynolds 104	Rizzo	Schilling	Sears 1	Sheldon
Shelton 57	Skaggs	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Goward	Gunn	Ribaudo	Ross	Van Zandt
Vogel	Wannenmacher	Ward		

VACANCY: 001

PERFECTION OF HOUSE BILLS

HB 839, **with HS, pending**, relating to transient employers, was again taken up by Representative Luetkenhaus.

Representative Luetkenhaus offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 839, page 3, section 285.232, line 22, by inserting after the word "subcontractor" on said line the following;

"to the extent of the amount paid to fulfill such obligation"

On motion of Representative Luetkenhaus, House Amendment No. 1 was adopted.

On motion of Representative Luetkenhaus, **HS HB 839, as amended,** was adopted.

On motion of Representative Luetkenhaus, **HS HB 839, as amended,** was ordered perfected and printed.

HCS HBs 1199, 1357 and 1393, relating to law enforcement powers, was taken up by Representative Reynolds.

Representative Reynolds offered **HS HCS HBs 1199, 1357 and 1393**.

Representative Alter offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 and 1393, Page 7, Section 544.159, Line 9, by deleting the words "making an arrest or"; and further amend said section, lines 11 through 15 by striking all of said lines; and further amend said section, line 16, by striking the number "2" and inserting the number "1"; and further amend said section, line 20, by striking the number "3" and inserting the number "2".

HCS HBs 1199, 1357 and 1393, with House Amendment No. 1 and HS, pending, was laid over.

MOTION

Representative Lumpe moved that the House refuse to adopt **CCR HCS SS SB 687, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a further conference.

Which motion was adopted.

COMMITTEE REPORTS

Committee on Correctional and State Institutions, Chairman Crump (152) reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 721**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SCS SB 896**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 501**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 743**, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 677**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 677, Page 1, In the Title, Line 4, by inserting immediately after the word "subject" the following: ", with an emergency clause"; and

Further amend said bill, Page 2, Section 304.200, Line 35, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary in order to promote the efficient movement of farm products to areas of shortage, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.".

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety], to which was referred **SCS SB 916**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 582**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on State Parks, Recreation and Natural Resources, to which was referred **SB 834**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 834, Page 2, Section 194.400, Line 16, by deleting the words "**native American**"; and

Further amend said bill, Page 2, Section 194.400, Lines 26 to 28, by deleting all of said lines; and

Further amend said bill, Page 2, Section 194.400, Line 29, by deleting the number "**5**" and inserting in lieu thereof the number "**4**"; and

Further amend said bill, Page 2, Section 194.400, Line 38, by deleting the number "**6**" and inserting in lieu thereof the number "**5**"; and

Further amend said bill, Page 2, Section 194.400, Lines 39 to 40, by deleting all of said lines and inserting in lieu thereof the following: "**first violation, of a criminal law related to the trafficking of human remains or cultural items located in**"; and

Further amend said bill, Page 2, Section 194.400, Line 42, by deleting the number "**7**" and inserting in lieu thereof the number "**6**"; and

Further amend said bill, Page 3, Section 194.400, Line 50, by deleting the number "**8**" and inserting in lieu thereof the number "**7**"; and

Further amend said bill, Page 3, Section 194.400, Line 53, by deleting the number "**9**" and inserting in lieu thereof the number "**8**"; and

Further amend said bill, Page 3, Section 194.400, Line 55, by deleting the number "**10**" and inserting in lieu thereof the number "**9**"; and

Further amend said bill, Page 3, Section 194.410, Line 6, by deleting the words "**of a native American**"; and

Further amend said bill, Page 3, Section 194.410, Lines 11 to 12, by deleting the words "**native American**".

Committee on Urban Affairs, Chairman Thompson (37) reporting:

Mr. Speaker: Your Committee on Urban Affairs, to which was referred **SB 818**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Workers Compensation and Employment Security, Chairman O'Neill reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SB 730**, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SB 731**, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SB 733**, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 782 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1646 - Civil and Criminal Law

HB 1647 - Science, Technology and Critical Issues

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SCS SB 708 - Commerce

COMMITTEE CHANGE

April 16, 1996

The Speaker submitted the following Committee change:

Representative Randall Relford appointed a member of Correctional and State Institutions Committee.

SUPPLEMENTAL CALENDAR

April 16, 1996

SENATE BILLS FOR THIRD READING - CONSENT

1 SB 818, E.C. - Van Zandt
2 SCS SB 896 - Gunn
3 SB 945 - Wannenmacher
4 SB 874 - Overschmidt
5 SB 826 - Thomason (163)
6 HCS SB 914 - Skaggs
7 SB 721 - Harlan
8 SB 665 - Hartzler (123)
9 SB 501 - Witt
10 HCS SB 676 - Smith

11 SB 845, HCA 1 - Liese
12 SCS SB 916 - Ross
13 SB 484 - Backer
14 SCS SB 806 - Kasten
15 SB 532 - Schwab

On motion of Representative Backer, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by the Speaker.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HCS SS SB 687, as amended**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Goode, Lybyer, Schneider, Sims and Klarich.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 687: Representatives Lumpe, Days (71), Green, Secrest and McClelland

THIRD READING OF SENATE BILLS - CONSENT

SB 693, relating to county coroners, was taken up by Representative Leake.

On motion of Representative Leake, **SB 693** was truly agreed to and finally passed by the following vote:

AYES: 145

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 001

Farnen

ABSENT WITH LEAVE: 016

Auer	Bland	Daniel 42	Froelker	Goward
Hand	Hohulin	Kelly 27	Marshall 133	O'Neill
Pauley	Ribaudo	Thompson 37	Van Zandt	
Wannenmacher				

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

SB 929, relating to pharmaceuticals, was taken up by Representative Stoll.

On motion of Representative Stoll, **SB 929** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Daniel 42	Daniels 41	Goward	Kelly 27	O'Neill
Ribaudo	Thompson 37	Wannenmacher	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Harlan moved that the vote by which the bill passed be reconsidered.

Representative Morgan moved that motion lay on the table.

The latter motion prevailed.

SB 811, relating to passing ordinances, was taken up by Representative Days (71).

On motion of Representative Days (71), **SB 811** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Dougherty

PRESENT: 000

ABSENT WITH LEAVE: 009

Crump 152	Daniel 42	Goward	Harlan	O'Neill
Ribaudo	Thompson 37	Wannenmacher	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Lumpe moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

SCS SB 694, relating to University of Missouri Police Officers, was taken up by Representative Harlan.

On motion of Representative Harlan, **SCS SB 694** was truly agreed to and finally passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright

Bonner	Boucher	Bray	Broach	Brown
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Green	Griesheimer	Gross
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 007

Bland	Gratz	Gunn	Hohulin	O'Connor
Thompson 37	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 009

Burton	Daniel 42	Dougherty	Goward	Hoppe
O'Neill	Ribaudo	Wannenmacher	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

SB 850, relating to fresh pursuit, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SB 850** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey

Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Thompson 37

PRESENT: 000

ABSENT WITH LEAVE: 008

Daniel 42	Goward	O'Neill	Relford	Ribaudo
Wannenmacher	Ward	Williams 121		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative O'Connor, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

SB 702, relating to joint committee on capital improvements, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **SB 702** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon

104
Shelton 57 Shields Skaggs Smith Sombart
Steen Stokan Stoll Summers Surface
Tate Thomason 163 Treadway Troupe Van Zandt
Vogel Whiteside Wieland Wiggins Williams
121
Williams 159 Witt Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Daniel 42 Goward Keeven O'Neill Ribaudo
Thompson 37 Wannenmacher Ward

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Alter Auer Backer Ballard Barnett 4
Barry Bartelsmeyer Bennett 15 Bland Boatright
Bonner Boucher Bray Brown Burton
Canuteson Carter Champion Childers Chrismer
Clayton Cooper Copeland Crum 112 Crump 152
Daniels 41 Davis Days Donovan Dougherty
Edwards-Pavia Elliott Enz Evans Farmer
Farnen Fiebelman Fitzwater Foley Ford
Foster Franklin Froelker Garnett Gaskill
Gibbons Graham Gratz Green
Griesheimer
Gross Gunn Hagan-Harrell Hall Hand
Harlan Hartzler 123 Heckemeyer Hegeman
Hendrickson
Hickey Hoppe Hosmer Howerton Jacob
Kasten Kauffman Keeven Kelley 47 Kelly 27
Kissell Klumb Koller Kreider Lakin
Leake Legan Levin Liese Linton
Long Luetkenhaus Lumpe Marble Marshall
26
Marshall 133 May 108 Mays 50 McBride
McClelland
McLuckie Mitchell Montgomery Morgan Murphy
Murray 69 Murray 135 Naeger Nordwald O'Connor
O'Toole Oetting Ostmann Overschmidt Pauley
Pouche Prost Pryor Relford Reynolds
Richardson Rizzo Robirds Ross Sallee
Scheve Schilling Schwab Scott Sears 1
Secrest Shear 83 Sheldon 104 Shelton 57 Shields
Skaggs Smith Sombart Stokan Stoll
Summers Surface Tate Thomason 163 Treadway
Troupe Van Zandt Vogel Whiteside Wiggins
Williams 121 Williams 159 Witt Wooten Mr.
Speaker

NOES: 010

Akin Broach Cierpiot Hartzler 124 Hohulin
Lograsso Loudon Ridgeway Steen Wieland

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42 Goward O'Neill Ribaudo Thompson
37
Wannenmacher Ward

VACANCY: 001

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Prost moved that motion lay on the table.

The latter motion prevailed.

SB 830, relating to drug offenders, was taken up by Representative Harlan.

On motion of Representative Harlan, **SB 830** was truly agreed to and finally passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 004

Gratz	Hohulin	Schilling	Thompson 37	

PRESENT: 000

ABSENT WITH LEAVE: 008

Daniel 42	Goward	Green	Kreider	O'Neill
Ribaudo	Wannenmacher	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Heckemeyer moved that motion lay on the table.

The latter motion prevailed.

SB 930, with House Committee Amendment No. 1, relating to cosmetology, was taken up by Representative Treadway.

On motion of Representative Treadway, House Committee Amendment No. 1 was adopted.

On motion of Representative Treadway, **SB 930, as amended,** was read the third time and passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 001

Bland

ABSENT WITH LEAVE: 007

Daniel 42	Goward	O'Neill	Ribaudo	Thompson 37
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Troupe, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

SB 940, relating to conveyance of property, was taken up by Representative Carter.

On motion of Representative Carter, **SB 940** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Days	Donovan
Dougherty	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123

Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 006

Auer	Davis	Edwards-Pavia	Foley	Gratz

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42	Goward	O'Neill	Ribaudo	Thompson 37
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Williams (159), title to the bill was agreed7 to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Jacob moved that motion lay on the table.

The latter motion prevailed.

SB 527, relating to police animal protection, was taken up by Representative Harlan.

Representative Harlan moved that **SB 527** be truly agreed to and finally passed.

Which motion was defeated by the following vote:

AYES: 062

Backer	Barnett 4	Barry	Bonner	Boucher
Bray	Brown	Burton	Canuteson	Carter
Clayton	Copeland	Crum 112	Daniels 41	Days
Farmer	Farnen	Fitzwater	Ford	Franklin
Gibbons	Hagan-Harrell	Harlan	Heckemeyer	Hendrickson
Hoppe	Hosmer	Jacob	Kelly 27	Kissell
Klumb	Lakin	Legan	Loudon	May 108
Mays 50	McBride	McLuckie	Morgan	Murray 69
O'Toole	Overschmidt	Prost	Relford	Reynolds
Rizzo	Scheve	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Surface	Tate	Thomason 163	Van Zandt	Williams 121
Witt	Mr. Speaker			

NOES: 093

Akin	Alter	Auer	Ballard	Bartelsmeyer
Bennett 15	Bland	Boatright	Broach	Champion
Childers	Chrismer	Cooper	Crump 152	Daniel 42
Davis	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Fiebelman	Foley	Foster	Froelker
Garnett	Gaskill	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hickey	Hohulin
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Koller	Kreider	Leake	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	McClelland	Mitchell
Montgomery	Murphy	Murray 135	Naeger	Nordwald
O'Connor	Oetting	Ostmann	Pauley	Pouche
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Schilling	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Thompson 37
Treadway	Troupe	Vogel	Whiteside	Wieland
Wiggins	Williams 159	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 007

Cierpiot	Dougherty	Goward	O'Neill	Ribaudo
Wannenmacher	Ward			

VACANCY: 001

HCS SB 947, relating to conveyance of property, was taken up by Representative Graham.

On motion of Representative Graham, **HCS SB 947** was adopted.

On motion of Representative Graham, **HCS SB 947** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Goward	Heckemeyer	Lumpe	O'Neill	Ribaudo
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

SB 766, relating to animal health laboratory fee fund, was taken up by Representative Leake.

On motion of Representative Leake, **SB 766** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Goward	O'Neill	Reynolds	Ribaudo	Richardson
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Farmer, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

HCS SB 900, relating to state employee retirement, was taken up by Representative Hagan-Harrell.

On motion of Representative Hagan-Harrell, **HCS SB 900** was adopted.

On motion of Representative Hagan-Harrell, **HCS SB 900** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 007

Brown	Gross	Hegeman	Hohulin	Murray 135
Shields	Whiteside			

PRESENT: 000

ABSENT WITH LEAVE: 008

Crump 152	Goward	Luetkenhaus	O'Neill	Reynolds
Ribaudo	Wannenmacher	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Troupe moved that the vote by which the bill passed be reconsidered.

Representative Tate moved that motion lay on the table.

The latter motion prevailed.

SS SB 740, with House Committee Amendment No. 1, relating to emergency services, was taken up by Representative Backer.

On motion of Representative Backer, House Committee Amendment No. 1 was adopted.

On motion of Representative Backer, **SS SB 740, as amended,** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 008

Goward	O'Neill	Reynolds	Ribaudo	Thompson 37
Troupe	Wannenmacher	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

SCS SB 662, with House Committee Amendment No. 1, relating to landfill fees, was taken up by Representative Williams (159).

Representative Williams (159) moved that House Committee Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Williams (159), **SCS SB 662** was truly agreed to and finally passed by the following vote:

AYES: 121

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bland	Boatright	Bonner	Boucher
Bray	Brown	Burton	Canuteson	Carter
Champion	Childers	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Elliott	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Gibbons	Graham	Gratz	Griesheimer
Gunn 123	Hagan-Harrell	Hand	Harlan	Hartzler
Heckemeyer	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Overschmidt
Pauley	Pouche	Prost	Relford	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab 104	Scott	Sears 1	Shear 83	Sheldon
Shelton 57	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 032

Akin	Bartelsmeyer	Bennett 15	Broach	Chrismer
Cierpiot	Dougherty	Edwards-Pavia	Enz	Foster
Froelker 124	Gaskill	Gross	Hall	Hartzler
Hegeman	Hendrickson	Hohulin	Kauffman	Linton
Lograsso	Loudon	Marshall 133	Murphy	Ostmann
Pryor	Richardson	Schilling	Secrest	Shields
Whiteside	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 009

Evans	Goward	Green	O'Neill	Reynolds
Ribaudo	Thompson 37	Wannenmacher	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Stoll, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Hickey moved that motion lay on the table.

The latter motion prevailed.

SB 530, relating to ambulance operator's license, was taken up by Representative Sheldon (104).

On motion of Representative Sheldon (104), **SB 530** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41

Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Lakin
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Goward	Kreider	Leake	Linton	O'Neill
Reynolds	Ribaudo	Thompson 37	Wannenmacher	Ward

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Kreider	Lakin	Leake
Legan	Levin	Liese	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wiggins	Williams

121
Williams 159 Witt Wooten Mr. Speaker

NOES: 007

Akin Froelker Hendrickson Hohulin Lograsso
Steen Wieland

PRESENT: 000

ABSENT WITH LEAVE: 011

Daniel 42 Farmer Goward Koller Linton
O'Neill Reynolds Ribaudo Thompson 37
Wannenmacher

Ward

VACANCY: 001

On motion of Representative Daniels (41), title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

SB 837, relating to general assembly journals, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SB 837** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin Alter Auer Backer Ballard
Barnett 4 Barry Bartelsmeyer Bennett 15 Bland
Boatright Bonner Boucher Bray Broach
Brown Burton Canuteson Carter Champion
Childers Chrismer Cierpiot Clayton Cooper
Copeland Crum 112 Crump 152 Daniel 42 Daniels
41
Davis Days Donovan Dougherty Edwards-
Pavia
Elliott Enz Evans Farmer Farnen
Fiebelman Fitzwater Foley Ford Foster
Franklin Froelker Garnett Gaskill Gibbons
Graham Gratz Griesheimer Gross Gunn
Hagan-Harrell Hall Hand Harlan Hartzler
123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hohulin Hoppe Hosmer Howerton Jacob
Kasten Kauffman Keeven Kelley 47 Kelly 27
Kissell Klumb Koller Kreider Lakin
Leake Legan Levin Liese Lograsso
Long Loudon Luetkenhaus Lumpe Marble
Marshall 26 Marshall 133 May 108 Mays 50 McBride
McClelland McLuckie Mitchell Montgomery Morgan
Murphy Murray 69 Murray 135 Naeger Nordwald
O'Connor O'Toole Oetting Ostmann
Overschmidt
Pauley Pouche Prost Pryor Relford
Richardson Ridgeway Rizzo Robirds Ross
Sallee Scheve Schilling Schwab Scott
Sears 1 Secrest Shear 83 Sheldon 104 Shelton
57
Shields Skaggs Smith Sombart Steen
Stokan Stoll Summers Surface Tate
Thomason 163 Treadway Troupe Vogel Whiteside
Wieland Wiggins Williams 121 Williams 159 Witt
Wooten Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Goward Green Linton O'Neill Reynolds

Ribaudo	Thompson 37	Van Zandt	Wannenmacher	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bland, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Kissell moved that motion lay on the table.

The latter motion prevailed.

SB 630, relating to telecommunications services, was taken up by Representative Sears (1).

On motion of Representative Sears (1), **SB 630** was truly agreed to and finally passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Goward	Kelly 27	Liese	Linton	Loudon
O'Neill	Reynolds	Ribaudo	Thompson 37	Wannenmacher
Ward	Whiteside			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Tate moved that the vote by which the bill passed be reconsidered.

Representative Shear (83) moved that motion lay on the table.

The latter motion prevailed.

HCS SB 870, relating to conveyance of property, was taken up by Representative Koller.

On motion of Representative Koller , **HCS SB 870** was adopted.

On motion of Representative Koller, **HCS SB 870** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Cierpiot	Goward	Kelley 47	Linton	Long
Naeger	O'Neill	Reynolds	Ribaudo	Thompson 37
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Alter	Auer	Backer	Ballard	Barnett 4
Barry	Bland	Bonner	Boucher	Bray
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell 123	Hand	Harlan	Hartzler 124
Heckemeyer	Hegeman	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Long	Loudon	Luetkenhaus	

Lumpe	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 011

Akin	Bartelsmeyer	Bennett 15	Boatright	Froelker
Hall	Hendrickson	Hohulin	Lograsso	Steen

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 010

Goward	Linton	Marble	Naeger	O'Neill
Reynolds	Ribaudo	Thompson 37	Wannenmacher	Ward

VACANCY: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Crum (112) moved that motion lay on the table.

The latter motion prevailed.

SB 491, with House Committee Amendment No. 1, relating to animal torture, was taken up by Representative Hosmer.

On motion of Representative Hosmer, House Committee Amendment No. 1 was adopted.

On motion of Representative Hosmer, **SB 491, as amended,** was read the third time and passed by the following vote:

AYES: 134

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hendrickson	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Lakin
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Relford	Richardson	Ridgeway	Rizzo	Robirds

Ross	Sallee	Scheve	Schilling	Schwab
Scott	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Thomason 163	Treadway
Van Zandt	Vogel	Whiteside	Wieland	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 015

Bland	Clayton	Crum 112	Crump 152	Elliott
Gunn	Hegeman	Hohulin	Kreider	Leake
Montgomery	Sears 1	Steen	Tate	Wiggins

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 012

Goward	Green	Hickey	Linton	Lumpe
O'Neill	Pauley	Reynolds	Ribaudo	Thompson 37
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

HCS SB 835, relating to corporations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **HCS SB 835** was adopted.

On motion of Representative Hosmer, **HCS SB 835** was read the third time and passed by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Klumb	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt

Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 003

Froelker	Hohulin	Keeven

PRESENT: 000

ABSENT WITH LEAVE: 015

Goward	Gunn	Hickey	Hoppe	Koller
Linton	Luetkenhaus	O'Neill	Pauley	Reynolds
Ribaudo	Shields	Thompson 37	Wannenmacher	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Prost moved that the vote by which the bill passed be reconsidered.

Representative Days (71) moved that motion lay on the table.

The latter motion prevailed.

SB 605, with House Committee Amendment No. 1, relating to school construction expenditures, was taken up by Representative Lakin.

On motion of Representative Lakin, House Committee Amendment No. 1 was adopted.

On motion of Representative Lakin, **SB 605, as amended,** was read the third time and passed by the following vote:

AYES: 100

Akin	Backer	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Boucher	Bray	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Donovan	Dougherty	Enz
Farmer	Farnen	Fitzwater	Ford	Franklin
Froelker	Gibbons	Graham	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Klumb	Koller	Lakin
Legan	Liese	Lograsso	Long	Loudon
Lumpe	Marble	Marshall 26	Marshall 133	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murray 135	Naeger	Nordwald	Ostmann
Overschmidt	Pouche	Prost	Relford	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stoll	Tate	Thomason 163	Troupe	Van Zandt
Vogel	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 050

Alter	Auer	Ballard	Barry	Bland
Bonner	Broach	Clayton	Davis	Days
Edwards-Pavia	Elliott	Evans	Foley	Foster
Gaskill	Gratz	Green	Griesheimer	Gross
Gunn	Hartzler 124	Hendrickson	Hohulin	Keeven
Kelly 27	Kissell	Kreider	Leake	Levin
Luetkenhaus	May 108	Murphy	Murray 69	O'Connor
O'Toole	Oetting	Pauley	Pryor	Richardson
Ridgeway	Rizzo	Sheldon 104	Stokan	Summers
Surface	Treadway	Whiteside	Wieland	Wooten

PRESENT: 001

Wiggins

ABSENT WITH LEAVE: 011

Fiebelman	Garnett	Goward	Hickey	Linton
O'Neill	Reynolds	Ribaudo	Thompson 37	Wannenmacher

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Lumpe moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

SCS SB 668, with House Committee Amendment No. 1, relating to traffic violations, was taken up by Representative Hosmer.

On motion of Representative Hosmer, House Committee Amendment No. 1 was adopted.

On motion of Representative Hosmer, **SCS SB 668, as amended,** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 002

Heckemeyer	Keeven

PRESENT: 000

ABSENT WITH LEAVE: 012

Garnett	Goward	Green	Hickey	Hoppe
Linton	O'Neill	Reynolds	Ribaudo	Thompson 37
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

SB 846, relating to Missouri Tourism Commission, was taken up by Representative Childers.

On motion of Representative Childers, **SB 846** was truly agreed to and finally passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 004

Bennett 15	Cierpiot	Hohulin	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 013

Garnett	Goward	Green	Hickey	Hoppe
Linton	O'Neill	Reynolds	Ribaudo	Scott
Thompson 37	Wannenmacher	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

SB 883, relating to medicare supplement insurance, was taken up by Representative Auer.

On motion of Representative Auer, **SB 883** was truly agreed to and finally passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Burton	Fitzwater	Garnett	Goward	Green
Hickey	Hoppe	Linton	O'Neill	Reynolds
Ribaudo	Thompson 37	Wannenmacher	Ward	

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall

26				
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 003

Hohulin	Lograsso	Steen

PRESENT: 000

ABSENT WITH LEAVE: 015

Bonner	Garnett	Goward	Green	Hickey
Hoppe	Linton	Murphy	O'Neill	Reynolds
Ribaudo	Thompson 37	Wannenmacher	Ward	Whiteside

VACANCY: 001

On motion of Representative Farmer, title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 657, relating to livestock theft, was taken up by Representative Legan.

On motion of Representative Legan, **HCS SCS SB 657** was adopted.

On motion of Representative Legan, **HCS SCS SB 657** was read the third time and passed by the following vote:

AYES: 148

Akin	Auer	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams

159				
Witt	Wooten	Mr. Speaker		

NOES: 001

Alter

PRESENT: 000

ABSENT WITH LEAVE: 013

Garnett	Goward	Green	Hickey	Hoppe
Linton	Morgan	O'Neill	Reynolds	Ribaudo
Thompson 37	Wannenmacher	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

SCS SB 758, relating to manufactured homes, was taken up by Representative Backer.

On motion of Representative Backer, **SCS SB 758** was truly agreed to and finally passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kissell
Klumb	Kreider	Lakin	Leake	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 002

Froelker	Keeven

PRESENT: 000

ABSENT WITH LEAVE: 015

Garnett	Goward	Hickey	Hohulin	Hoppe
Kelly 27	Koller	Legan	Linton	O'Neill
Reynolds	Ribaudo	Thompson 37	Wannenmacher	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

SB 792, with House Committee Amendment No. 1, relating to name on commercial vehicles, was taken up by Representative Legan.

On motion of Representative Legan, House Committee Amendment No. 1 was adopted.

On motion of Representative Legan, **SB 792, as amended,** was read the third time and passed by the following vote:

AYES: 138

Akin	Alter	Backer	Ballard	Barry
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Froelker	Gaskill	Gibbons	Graham	Gratz
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Troupe	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 012

Auer	Barnett 4	Bland	Bray	Cooper
Franklin	Griesheimer	Gunn	Klumb	Murphy
Shear 83	Treadway			

PRESENT: 000

ABSENT WITH LEAVE: 012

Garnett	Goward	Green	Hand	Hickey
Hoppe	Linton	O'Neill	Reynolds	Ribaudo
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Hagan-Harrell moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 598, relating to water districts, was taken up by Representative Long.

On motion of Representative Long, **HCS SCS SB 598** was adopted.

On motion of Representative Long, **HCS SCS SB 598** was read the third time and passed by the following vote:

AYES: 136

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gunn	Hagan-Harrell	Hall	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Relford	Richardson	Rizzo	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 010

Brown	Cierpiot	Gross	Hartzler 124	Hendrickson
Hohulin	Lograsso	Loudon	Ridgeway	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 016

Garnett	Goward	Green	Hand	Hickey
Hoppe	Linton	O'Neill	Pryor	Reynolds
Ribaudo	Robirds	Sears 1	Thompson 37	Wannenmacher

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Luetkenhaus moved that motion lay on the table.

The latter motion prevailed.

SCS SB 670, with House Committee Amendment No. 1, relating to state document preservation fund, was taken up by Representative Childers.

On motion of Representative Childers, House Committee Amendment No. 1 was adopted.

On motion of Representative Childers, **SCS SB 670, as amended,** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Pryor
Relford	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Garnett	Goward	Green	Hand	Hickey
Hoppe	O'Neill	Prost	Reynolds	Ribaudo
Thompson 37	Wannenmacher	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Hosmer, title to the bill was agreed to.

Representative Klumb moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

SB 728, with House Committee Amendment No. 1, relating to Community Children's Services Fund, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, House Committee Amendment No. 1 was adopted.

On motion of Representative Luetkenhaus, **SB 728, as amended,** was read the third time and passed by the

following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Rizzo
Robirds	Ross	Sallee	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 002

Keeven	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown	Garnett	Goward	Green	Hand
Hickey	Hoppe	Kissell	O'Neill	Reynolds
Ribaudo	Ridgeway	Scheve	Thompson 37	Wannenmacher

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Crump (152), title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 17, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-sixth Day, Monday, April 15, 1996, page 28, roll call, by showing Representative Cierpiot voting "present" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, April 17, 1996, 1:30 pm. Hearing Room 9.

To be considered - SB 898

CHILDREN, YOUTH, AND FAMILIES

Wednesday, April 17, 1996, 8:00 am. Hearing Room 8

To be considered - SB 488, Executive Session - SB 533, Executive Session -

SB 569, Executive Session - SB 763

COMMERCE

Thursday, April 18, 1996, 9:00 am. Hearing Room 5.

To be considered - SB 708

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, April 17, 1996. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 547

EDUCATION - ELEMENTARY AND SECONDARY

Wednesday, April 17, 1996, 9:45 am. Side gallery.

To be considered - Executive Session - SB 926

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 18, 1996, 8:30 am. Hearing Rooms 1 & 2. Discussion and executive session.

To be considered - SB 795

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, April 17, 1996, 8:30 am. Hearing Room 7. Amended Notice

Executive session may follow.

To be considered - HR 600, HR 557, HR 774, HR 727, HCR 12, HR 782

RETIREMENT

Wednesday, April 17, 1996. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 860

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Wednesday, April 17, 1996. Side gallery upon noon adjournment. Executive session.

HOUSE CALENDAR

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 17, 1996

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 57 - Scheve

HOUSE BILLS FOR PERFECTION

1 HCS HB 1363 - Mays (50)
2 HCS HB 1186, HSA 1 for Part I of HA 2, Part I of HA 2,

Part II of HA 2, HA2, HS, as amended, pending - Hoppe

3 HCS HB 1149,1150 & 1240 - Jacob
4 HCS HB 894 - Bray
5 HCS HB 1199, 1357 & 1393, HA 1 & HS, pending - Reynolds - Kissell
6 HB 1380 - Lumpe
7 HCS HB 1557 & 1489 - Days
8 HCS HB 987, 1155, 1158 & 1219 - Jacob
9 HCS HB 1403 - Dougherty
10 HB 1247 - Shelton (57)
11 HCS HB 1588 - Overschmidt
12 HB 944, HCA 1 - Smith

13 HB 1154 - Murray (69)
14 HCS HB 1540 - Green
15 HB 993 - Williams (121)
16 HB 854 - Bland
17 HB 1312 - Tate
18 HCS HB 843 - Daniels (41)
19 HB 1133 - Witt
20 HB 855 - Bland
21 HCS HB 830 & 1082 - Carter
22 HB 1228, HCA 1 - Harlan
23 HB 1279 - Tate
24 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
25 HCS HB 829 & 1254 - May (108)
26 HB 1414, HCA 1 - Smith
27 HCS HB 960 - Rizzo
28 HB 1436, HCA 1 - Dougherty
29 HB 1399, HCA 1 - Leake
30 HCS HB 1112 - Koller
31 HCS HB 1204 - Wiggins
32 HB 816, HCA 1 - Backer
33 HCS HB 961 - Boucher
34 HB 1535 - Kissell
35 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
36 HCS HB 1429 - Liese
37 HCS HB 1143 - Witt
38 HB 856, HCA 1 - Bland
39 HB 1310 - Tate
40 HCS HB 1175, 1120 & 797 - Gratz
41 HCS HB 912 & 1108 - Treadway
42 HB 1579, HCA 1 - Skaggs
43 HB 1562 - Witt
44 HCS HB 1374 - Scheve
45 HB 801, HCA 1 - Schilling
46 HB 1443, HCA 1, HCA 2 - Prost
47 HB 1289 - Liese
48 HCS HB 1278 & 1277 - May (108)
49 HB 1590, HCA 1 - Harlan
50 HB 1145 - Shear (83)
51 HCS HB 1115 - Montgomery
52 HCS HB 1206 & 1484 - Hosmer
53 HB 1575 - Loudon
54 HB 1180 - Williams (159)
55 HB 1080, HCA 1 - Troupe
56 HCS HB 1430 & 1165 - Hosmer
57 HCS HB 1000 - Treadway
58 HCS HB 840 & 841 - Luetkenhaus
59 HB 833, HCA 1 - Dougherty
60 HCS HB 1465 - Hoppe
61 HB 1245 - Farmer
62 HCS HB 867, 893 & 1401 - Morgan
63 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HOUSE BILLS FOR THIRD READING

HB 782, (Budget Fiscal 3-20-96) - Stokan

HS HB 1241 - Witt

HCS HB 1185 - McClelland

HS HCS HB 1237 - Rizzo

SENATE BILLS FOR THIRD READING - CONSENT

1 SB 720 - Heckemeyer
2 SB 802 - Backer
3 SB 818, E.C. - Van Zandt

4 SCS SB 896 - Gunn
5 SB 945 - Wannenmacher
6 SB 874 - Overschmidt
7 SB 826 - Thomason (163)
8 HCS SB 914 - Skaggs
9 SB 721 - Harlan
10 SB 665 - Hartzler (123)
11 SB 501 - Witt
12 HCS SB 676 - Smith
13 SB 845, HCA 1 - Liese
14 SCS SB 916 - Ross
15 SB 484 - Backer
16 SCS SB 806 - Schwab
17 SB 532 - Stoll

BILLS IN CONFERENCE

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HCS SS SB 687, as amended, E.C. - Lumpe

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-EIGHTH DAY, Wednesday, April 17, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Representative Randall H. Relford.

Lord God of Host, be here with us today. When Solomon prayed for wisdom and ruled Israel, can we ask for the same guidance to serve our state. Walk with us always Lord, and keep us from straying from our sworn duty. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: LaNee Lemons, Nic Milonas, Abel Silva, Monique Ross, Jody Sietz, Mallory Brenee Hall, Andrew Brian Guerrero, Nicholas E. Van Stratten, Crystal Leigh Gatewood, Jane Akers, Meghan Arnold, Brandi Edwards, Julie Belgin, Liz Abram, Rodney Berri, Heather Cowen, Vince Greco, Edward Cain, Angie James, Adam Copeland, Brian White, Erin Dalton, Jacque Hovis, Daysha Milne, Andrea Davis, Angie McCallan, Jessie Diggs, Brandi Schubert, Jason Trimmer, Samantha Catherine Brandon, Jessica Ann Brandon, Margaret Elizabeth Brandon, Mat Watkins, Dustin Jenkins, Kieth Florea, Blake Coulter, Holly Gabbert, Amber Strating, Sarah Tayler, Leah Koger, Nathan Shalz, Michael Shalz, Kim Burch, Lisa Ciszewski, Sreeja Natesan, Chelsea Cash, Heather Robinson, Tracie Peacock, Kim Stewart, Charles Davis, Matt Linville, Stephanie Richason, Andrea Rockwell and Justin Strunk.

The Journal of the fifty-seventh day was approved as corrected.

RESOLUTIONS

Representative Stokan offered House Resolution No. 797, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds offered House Resolution No. 798, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 799, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 800, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 801, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 802, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution No. 803, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Broach offered House Resolution No. 804, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Oetting offered House Resolution No. 805, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules, and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1237**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 782 (Fiscal Note)**, begs leave to report it has **been furnished an updated fiscal note and does not require Budget Committee fiscal review.**

PERFECTION OF HOUSE BILL

HCS HBs 1199, 1357 and 1393, with HA 1 and HS, pending, relating to law enforcement powers, was again taken up by Representative Reynolds.

House Amendment No. 1 was withdrawn.

Representative Alter offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 & 1393, Page 7, Section 544.159, Line 9 of said page, by deleting the words "**making an arrest or**"; and

Further amend said bill, Page 7, Section 544.159, Lines 11 to 15 of said page, by deleting all of said lines; and

Further amend said bill, Page 7, Section 544.159, Line 16 of said page, by deleting the number "**(2)**" and inserting in lieu thereof the number "**(1)**"; and

Further amend said bill, Page 7, Section 544.159, Line 20 of said page, by deleting the number "**(3)**" and inserting in lieu thereof the number "**(2)**"; and

Further amend said bill, Page 8, Section 544.159, Line 2 of said page, by inserting immediately after the number "**3.**" the following: "**In addition to the foregoing federal law enforcement arrest authority, a federal law enforcement officer may arrest on view for any crime; and without a warrant, at any place within this state, any person the federal law enforcement officer sees asserting physical force or using forcible compulsion for the purpose of causing or creating a substantial risk of death or serious physical injury to any person.**

4."; and

Further amend said bill, Page 8, Section 544.159, Line 6 of said page, by deleting the number "**4.**" and inserting in lieu thereof the number "**5.**".

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 & 1393, Page 7, Section 544.159, Line 9 of said page, by deleting the words "**making an arrest or**"; and

Further amend said bill, Page 7, Section 544.159, Lines 11 to 15 of said page, by deleting all of said lines; and

Further amend said bill, Page 7, Section 544.159, Line 16 of said page, by deleting the number "**(2)**" and inserting in lieu thereof the number "**(1)**"; and

Further amend said bill, Page 7, Section 544.159, Line 20 of said page, by deleting the number "**(3)**" and inserting in lieu thereof the number "**(2)**"; and

Further amend said bill, Page 8, Section 544.159, Line 2 of said page, by inserting immediately after the number "**3.**" the following: "**In addition to the foregoing federal law enforcement arrest authority, a federal law enforcement officer may arrest on view or immediately thereafter for any crime; and without a warrant, at any place within this state, any person the federal law enforcement officer sees asserting physical force or using forcible compulsion for the purpose of causing or creating a substantial risk of death or serious physical injury**

to any person.

4."; and

Further amend said bill, Page 8, Section 544.159, Line 6 of said page, by deleting the number "**4.**" and inserting in lieu thereof the number "**5.**".

On motion of Representative Hosmer, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42	Farmer	Franklin	Lakin	Ribaudo
Sheldon 104				

VACANCY: 001

Representative Smith offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 and 1393, Page 3, Section 70.820, Line 18, by deleting all of said lines 19-22 on page 3 and further amend said section by deleting lines 1 and 2 on page 4.

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

for
House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 & 1393, Page 34, Section 70.820, Lines 21 and 22, by deleting the remainder of the sentence after the word "arrest" and by inserting in lieu thereof after such word the following:

"On view or immediately thereafter for any crime; and without a warrant, at any place within this state, any person the peace officer sees asserting physical force or using forcible compulsion for the purpose of causing or creating a substantial risk of death or serious physical injury to any person.

HCS HBs 1199, 1357 and 1393, with HSA 1 for HA 2, HA 2 and HS, as amended, pending was laid over.

The Speaker assumed the Chair.

THIRD READING OF HOUSE BILLS

HB 782, relating to motor vehicle drivers, was taken up by Representative Stokan.

Representative Stokan moved that **HB 782** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 068

Auer	Backer	Barnett 4	Bennett 15	Bland
Boucher	Bray	Brown	Burton	Canuteson
Carter	Chrismer	Copeland	Daniels 41	Days
Donovan	Farmer	Farnen	Ford	Franklin
Froelker	Gibbons	Goward	Graham	Green
Hagan-Harrell	Hall	Hand	Harlan	Hendrickson
Hoppe	Hosmer	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Lakin	Liese	Lograsso
Loudon	Lumpe	Mays 50	McClelland	McLuckie
Mitchell	Morgan	Murphy	Murray 135	Ostmann
Overschmidt	Reynolds	Ross	Schilling	Shear 83
Sheldon 104	Shelton 57	Smith	Stokan	Stoll
Surface	Van Zandt	Wannenmacher	Whiteside	Wiggins
Williams 121	Witt	Mr. Speaker		

NOES: 086

Akin	Alter	Ballard	Barry	Bartelsmeyer
Boatright	Bonner	Broach	Champion	Childers
Cierpiot	Clayton	Cooper	Crum 112	Crump 152
Davis	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Fiebelman	Foley	Foster	Garnett
Gaskill	Gratz	Griesheimer	Gross	Gunn
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hohulin	Howerton	Kelly 27	Kissell	Leake
Legan	Levin	Linton	Long	Luetkenhaus
Marble	Marshall 26	Marshall 133	May 108	McBride
Montgomery	Murray 69	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Sallee	Scheve	Schwab
Scott	Sears 1	Secrest	Shields	Skaggs
Sombart	Steen	Summers	Tate	Thomason 163
Thompson 37	Treadway	Vogel	Wieland	Williams 159
Wooten				

PRESENT: 000

ABSENT WITH LEAVE: 008

Daniel 42	Fitzwater	Klumb	Koller	Kreider
Ribaudo	Troupe	Ward		

VACANCY: 001

HS HB 1241, relating to traffic offenders program, was taken up by Representative Witt.

Representative Witt moved that **HS HB 1241** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 025

Bennett 15	Bland	Clayton	Farnen	Foley
Ford	Green	Hagan-Harrell	Heckemeyer	Hegeman
Hickey	Hohulin	Hoppe	Linton	Loudon
Marble	May 108	Murray 135	Naeger	Pouche
Sears 1	Shields	Wiggins	Witt	Mr. Speaker

NOES: 123

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Boatright	Bonner
Bray	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Fiebelman	Foster
Franklin	Froelker	Gaskill	Gibbons	Goward
Graham	Gratz	Griesheimer	Gross	Gunn
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Hendrickson	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 014

Boucher	Daniel 42	Davis	Fitzwater	Garnett
Jacob	Klumb	Koller	Kreider	O'Neill
Pauley	Ribaudo	Troupe	Ward	

VACANCY: 001

HCS HB 1185, relating to administrative rule waivers, was taken up by Representative McClelland.

On motion of Representative McClelland, **HCS HB 1185** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Cooper	Clayton
Copeland	Crum 112	Crump 152	Daniels 41	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Foley
Foster	Franklin	Froelker	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47

Kelly 27	Kissell	Koller	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Daniel 42	Davis	Fitzwater	Ford	Garnett
Jacob	Klumb	Kreider	Pauley	Ribaudo
Rizzo	Stokan	Troupe	Ward	Witt

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Prost moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 507**, entitled:

An act to repeal section 170.250, 386.020, 392.180, 392.200, 392.220, 392.410, 392.450, and 392.530, RSMo 1994, relating to the regulation of telecommunications companies, and to enact in lieu thereof seventeen new sections, relating to the same subject, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

On motion of Representative Backer, the House recessed until 2:30 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: B. J. McAllister, Jessica Taylor and Floyd Russell.

RESOLUTIONS

Representative Surface offered House Resolution No. 806, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 807, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 808, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott offered House Resolution No. 809, which was referred to the Committee on Miscellaneous

Bills and Resolutions.

Representative Shelton (57), et al, offered House Resolution No. 810, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 811, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 812, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (159) offered House Resolution Nos. 813 and 814, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw, joined by the entire House Membership offered House Resolution No. 815, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 765, 766, 767, 768, 769, 770, 771, 772, 773, 775, 776, 777, 778, 779, 780, 781, 783, 784, 785, 786, 787, 788, 789, 790, 792, 793**, **794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815** begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SB 926**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 926, Page 1, Section 165.111.1, Line 4, by adding after the word "newspaper", the following "as described in section 493.050, RSMo."

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 497**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 557**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE RESOLUTION NO. 557

WHEREAS, the House of Representatives deems it worthy to support and encourage programs which exist to provide Missouri's senior citizens with an opportunity to utilize their experience and knowledge in a positive and meaningful way; and

WHEREAS, the House of Representatives also deems it worthy to support those programs which are designed to provide participants with opportunities to develop better citizenship and leadership qualities; and

WHEREAS, the Silver Haired Legislature is a program which helps to ensure that senior citizens have a voice in state government while giving its participants a unique insight into the legislative process; and

WHEREAS, the House of Representatives has along tradition of granting the use of its chambers to such programs;

NOW, THEREFORE, BE IT RESOLVED, that the Missouri House of Representatives hereby grant the participants of the Silver Haired Legislature permission to use the House Chambers for the purpose of their regular session on October 31 and November 1, 1996.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 600**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 600

WHEREAS, the Missouri Legislative Black Caucus Foundation, Inc., plays a significant role in ensuring the proper and effective function of the Missouri General Assembly as a fully representative body within state government; and

WHEREAS, the Missouri Legislative Black Caucus Foundation, Inc.'s Eleventh Annual Conference provides a useful format for the discussion and resolution of many key issues affecting the welfare of African-Americans and all Missourians; and

WHEREAS, the members of the Missouri House of Representative deem it both proper and necessary to support the important work of the Missouri Legislative Black Caucus Foundation, Inc.:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby grant the members of the Missouri Legislative Black Caucus Foundation, Inc., permission to use the House Chamber for the purpose of conducting their annual conference during June 6-8, 1996.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 727**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 727

Whereas, a number of Missouri organizations, including historical societies and Boy Scouts, have assisted in erecting historical markers to commemorate a tragic event that occurred in this state; and

Whereas, the Potawatomi Indians were forcibly removed from their homes in northern Indiana in 1838 and marched to a new location in Kansas; and

Whereas, the route the Potawatomi Indians traveled, known historically as the Trail of Death, passed through eight counties in the State of Missouri, namely, Marion, Monroe, Randolph, Chariton, Carroll, Ray, Lafayette, and Jackson; and

Whereas, the route has been documented in the diary kept by Jesse C. Douglass, Enrolling Agent, and the letters of Father Benjamin Marie Petit, a Priest, both of whom accompanied the Potawatomi Indians on the march; and

Whereas, several historical markers concerning the trail have already been dedicated, including markers at Palmyra, Paris, Keytesville, and Independence; and

Whereas, the Indian Awareness Center, a branch of the Fulton County Historical Society, Rochester, Indiana, has asked that the route taken from Indiana to Kansas by the Potawatomi Indians in the fall of 1838 be declared a Regional Historic trail in memory of the hardships endured by the group during the march; and

Whereas, this activity requires no federal, state, or local funds, and is of historical interest to Missourians:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, declare that the route taken through the State of Missouri by the Potawatomi Indians in 1838 be designated as a Regional Historic Trail; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Fulton County Historical Society of Rochester, Indiana, and for the State Historical Society of Missouri, Columbia.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 774**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 774

WHEREAS, the primary function of the Missouri House of Representatives is to discuss, deliberate, and act upon the various pieces of legislation that are introduced to the body on the floor of the House Chamber; and

WHEREAS, it is of critical importance that the House Chamber be reserved for use by the members of this legislative body and their staff whenever this body is required to consider or act upon important legislative or other matters during official functions, which include meeting times, special sessions, veto sessions or regular sessions of the General Assembly; and

WHEREAS, though the House does allow the use of the House Chamber by other groups for a number of worthwhile projects and programs, the scheduling of the House Chamber for use by these groups must not conflict with the legislative functions of the House of Representatives, and consideration must be given to the expense involved in converting the House to an automated chamber and to eliminating the risk of inadvertent damage that may be caused by groups using the chamber:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives of the Eighty-eighth General Assembly, that no person or group other than the members of the House of Representatives and the staff of the House of Representatives be permitted to use the House Chamber except for ceremonial usage during any meeting times, special sessions, veto sessions, or regular sessions of the Missouri General Assembly.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 782**, begs leave to report it has examined the same and recommends that it **Do Pass.**

House Resolution No. 782

WHEREAS, the General Assembly has a long tradition of rendering assistance to those programs aimed at developing outstanding qualities of both citizenship and leadership; and

WHEREAS, the Missouri Jaycees organization has sought to give its members a unique opportunity to develop valuable leadership skills while familiarizing themselves with the Democratic process through its excellent mock legislature program; and

WHEREAS, the Missouri Jaycees is planning to conduct its Twenty-ninth Annual Mock Legislature at our State Capitol during November 15, 16, and 17, 1996:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby grant the Missouri Jaycees permission to use the House Chamber for the purpose of conducting its Twenty-ninth Annual Mock Legislature during the dates of November 15, 16, and 17, 1996.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 12**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 12

WHEREAS, the quality of life in the communities of this state and nation is largely reflective of the beliefs and ideals held by the individuals residing in those communities, who may express their vision, intelligence, and imagination in many different ways; and

WHEREAS, the history of this great nation is indelibly marked with the role that prayer has played in the lives of individual Americans and in the development of the United States as a whole; and

WHEREAS, the National Day of Prayer is a tradition which dates back to the year 1775, when the event was first proclaimed by the Continental Congress; and

WHEREAS, the National Day of Prayer gives Americans from widely diverse backgrounds a unique opportunity to unite toward a common good in an attitude of prayer, one which stems from a belief in God expressed by ninety-eight percent of Americans; and

WHEREAS, the National Day of Prayer is an opportunity for Americans from all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and its citizens; and

WHEREAS, in light of the current social unrest brought about by crime, poverty, racial strife, and illegal drug use, and the disruption brought about by various natural disasters, America needs prayer now more than ever before; and

WHEREAS, in 1988, legislation setting aside the first Thursday in May of each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan:

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, hereby unanimously join with private citizens and public officials around the nation in observing May 2, 1996, as the National Day of Prayer, and further urge all Missourians to support this observance in ways appropriate to its importance and significance; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for presentation during the upcoming National Day of Prayer.

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1349**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **HB 1577**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 522**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Committee on Workers Compensation and Employment Security, Chairman O'Neill reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SCS SJR 31**, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SB 855**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent.**

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SB**

868, begs leave to report it has examined the same and recommends that it **Do Not Pass.**

SUPPLEMENTAL CALENDAR

April 17, 1996

Third Reading of Senate Bills - Consent

SB 855 - O'Neill

SB 582 - Boucher

SB 834, HCA 1 - Barnett

SB 677, HCA 1 - Sheldon (104)

SB 926, HCA 1 - Childers

SB 522 - Backer

SB 497 - Pryor

SB 803 - Witt

PERFECTION OF HOUSE BILLS

HCS HB 1363, relating to telecommunications, was taken up by Representative Mays (50) and placed on the Informal Calendar.

HCS HB 894, relating to human rights, was taken up by Representative Bray and placed on the Informal Calendar.

THIRD READING OF SENATE BILLS - CONSENT

SB 720, relating to exhaustion of administrative remedies, was taken up by Representative Heckemeyer.

On motion of Representative Heckemeyer, **SB 720** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Hendrickson

PRESENT: 001

Lumpe

ABSENT WITH LEAVE: 005

Auer	Ribaudo	Thompson 37	Troupe	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Gunn, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

SB 818, relating to Kansas and Missouri culture district, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, **SB 818** was truly agreed to and finally passed by the following vote:

AYES: 136

Backer	Barnett 4	Barry	Bartelsmeyer	Bennett 15
Bland	Boatright	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Childers
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Relford	Reynolds
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Tate	Thompson 37
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 017

Akin	Alter	Ballard	Bonner	Chrismer
Cierpiot	Elliott	Evans	Hall	Hohulin
Keeven	Lograsso	Pryor	Ridgeway	Steen
Surface	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Champion	Ribaudo	Richardson	Sallee
Scott	Thomason 163	Troupe	Ward	

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Backer	Barry	Bartelsmeyer	Bland	Boucher
Bray	Brown	Burton	Canuteson	Carter
Champion	Childers	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Days
Donovan	Dougherty	Edwards-Pavia	Farmer	Farnen
Fiebelman	Foley	Ford	Foster	Franklin
Garnett	Gaskill	Gibbons	Goward	Graham
Green	Griesheimer	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Lumpe	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 029

Akin	Alter	Ballard	Barnett 4	Bennett 15
Boatright	Bonner	Broach	Chrismer	Cierpiot
Elliott	Enz	Evans	Froelker	Gratz
Gross	Hall	Hohulin	Keeven	Linton
Lograsso	Loudon	Pryor	Ridgeway	Steen
Surface	Whiteside	Wieland	Witt	

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Davis	Fitzwater	Luetkenhaus	Marble
Ribaudo	Richardson	Scott	Troupe	Ward

VACANCY: 001

On motion of Representative Schilling, title to the bill was agreed to.

Representative Skaggs moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

SCS SB 896, relating to insurance receiverships, was taken up by Representative Gunn.

On motion of Representative Gunn, **SCS SB 896** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross

Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 001

Hendrickson

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Hohulin	Luetkenhaus	Ribaudo	Richardson
Sallee	Scott	Troupe	Van Zandt	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Morgan, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

SB 945, relating to Greene County taxes, was taken up by Representative Wannenmacher.

On motion of Representative Wannenmacher, **SB 945** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell

Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer	Ribaudo	Scott	Stokan	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Kreider, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

SB 874, relating to Missouri Fire Education Trust Fund, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **SB 874** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer	Franklin	Ribaudo	Scott	Thompson 37
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Goward moved that motion lay on the table.

The latter motion prevailed.

SB 802, relating to state employee benefits, was taken up by Representative Backer.

Representative Lograsso offered House Amendment No. 1 and moved that Rule 48 be suspended and House Amendment No. 1 be adopted.

House Amendment No. 1

AMEND Senate Bill No. 802, Page 2, Section 105.950, Lines 1 - 10, by deleting all of said section.

On motion of Representative Lograsso, Rule 48 was suspended and House Amendment No. 1 was adopted.

On motion of Representative Backer, **SB 802, as amended,** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 003

Green	Hosmer	O'Toole

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer	Ribaudo	Scott	Thompson 37	Troupe
Ward				

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bray moved that motion lay on the table.

The latter motion prevailed.

SB 826, relating to earthquake zones, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **SB 826** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin	Alter	Backer	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 005

Ballard	Hartzler 124	Hohulin	Nordwald	Treadway

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer	Murphy	O'Connor	Ribaudo	Scott
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Koller, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

HCS SB 914, relating to county governments, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HCS SB 914** was adopted.

On motion of Representative Skaggs, **HCS SB 914** was read the third time and passed by the following vote:

AYES: 139

Alter	Backer	Ballard	Barnett 4	Barry
Bennett 15	Boatright	Bonner	Boucher	Bray
Broach	Brown	Canuteson	Carter	Champion
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Days
Donovan	Dougherty	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 015

Akin	Bartelsmeyer	Bland	Burton	Childers
Edwards-Pavia	Hendrickson	Hohulin	Marble	Marshall 26
Robirds	Shields	Surface	Whiteside	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer	Davis	Graham	Ribaudo	Scott
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Witt moved that motion lay on the table.

The latter motion prevailed.

SB 721, relating to offenders under treatment program, was taken up by Representative Harlan.

Representative Harlan moved that **SB 721** be truly agreed to and finally passed.

Which motion was defeated by the following vote:

AYES: 057

Backer	Bland	Boucher	Bray	Carter
Clayton	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Dougherty	Farmer
Farnen	Fiebelman	Fitzwater	Green	Gunn
Harlan	Heckemeyer	Hoppe	Jacob	Klumb
Kreider	Lakin	Liese	Lumpe	Mays 50
McBride	McLuckie	Morgan	Murray 69	Naeger
O'Neill	Overschmidt	Pauley	Prost	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith 163	Stokan	Stoll	Tate	Thomason
Thompson 37	Van Zandt	Whiteside	Wiggins	Williams 121
Witt	Mr. Speaker			

NOES: 099

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Cooper	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Leake
Legan	Levin	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	McClelland	Mitchell	Montgomery	Murphy
Murray 135	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Pouche	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Secrest	Shields	Sombart
Steen	Summers	Surface	Treadway	Vogel
Wannenmacher	Wieland	Williams 159	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer	Ribaudo	Scheve	Scott	Troupe

Ward

VACANCY: 001

SB 665, relating to sewer districts, was taken up by Representative Hartzler (123).

On motion of Representative Hartzler (123), **SB 665** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27

Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer	Hall	Ribaudo	Scott	Thompson 37
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

SB 501, relating to Ethics Commission, was taken up by Representative Witt.

On motion of Representative Witt, **SB 501** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll

Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer	Ribaudo	Scott	Thompson 37	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

HCS SB 676, relating to hospital operations, was taken up by Representative Smith.

On motion of Representative Smith, **HCS SB 676** was adopted.

On motion of Representative Smith, **HCS SB 676** was read the third time and passed by the following vote:

AYES: 156

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer	Ribaudo	Scott	Thompson 37	Troupe
Ward				

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Garnett, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Liese moved that motion lay on the table.

The latter motion prevailed.

SB 845, with House Committee Amendment No. 1, relating to levee districts, was taken up by Representative Liese.

On motion of Representative Liese, House Committee Amendment No. 1 was adopted.

On motion of Representative Liese, **SB 845, as amended,** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Brown	Burton
Canuteson	Carter	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 004

Froelker	Hartzler 124	Keeven	Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Broach	Champion	Ribaudo	Ridgeway
Scott	Thompson 37	Troupe	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

SCS SB 916, relating to hospice facilities, was taken up by Representative Ross.

On motion of Representative Ross, **SCS SB 916** was truly agreed to and finally passed by the following vote:

AYES: 146

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 009

Cierpiot	Garnett	Gross	Hegeman	Hohulin
Kreider	Lograsso	Ridgeway	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer	Loudon	Ribaudo	Scott	Thompson 37
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

SB 484, relating to hospital district boards, was taken up by Representative Backer.

On motion of Representative Backer, **SB 484** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Auer	Ribaudo	Scott	Thompson 37	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

SCS SB 806, relating to county coroner, was taken up by Representative Schwab.

On motion of Representative Schwab, **SCS SB 806** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward

Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Auer	Kelley 47	Marble	Ribaudo	Ridgeway
Scott	Thompson 37	Troupe	Ward	Whiteside

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bray, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

SB 532, relating to emergency services board elections, was taken up by Representative Stoll.

On motion of Representative Stoll, **SB 532** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Backer	Ballard	Barnett 4
Barry	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray	Broach	Brown
Burton	Canuteson	Carter	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	

Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Auer	Champion	Ribaudo	Scott	Thompson 37
Troupe	Ward	Whiteside		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Morgan, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 870**, and requests the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

MOTION

Representative Koller moved that the House refuse to recede from its position on **HCS SB 870** and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 870: Representatives Koller, Fiebelman, Garnett, Ross and Hartzlerlly (124)

PERFECTION OF HOUSE BILL

HCS HB 1186, with House Substitute Amendment No. 1 for Part I of House Amendment No. 2, Part I of House Amendment No. 2, Part II of House Amendment No. 2, House Amendment No. 2 and HS, as amended, pending, relating to ambulance services, was again taken up by Representative Hoppe.

House Substitute Amendment No. 1 for Part I of House Amendment No. 2 was withdrawn.

Representative Hosmer offered House Substitute Amendment No. 1 for Part I of House Amendment No. 2.

House Substitute Amendment No. 1
for
Part I
of
House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bill No. 1186, Page 27, Section 190.113, Line 22 by inserting immediately after the word "responsibility" the following:

"9. The provision of section 190.113 shall apply only to any county of the first classification with a charter form of government which contains all or part of a city with a population of three hundred fifty thousand or more inhabitants."

On motion of Representative Hosmer, House Substitute Amendment No. 1 for Part I of House Amendment No. 2

was adopted.

Representative Copeland moved that Part II of House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Backer	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bray	Broach	Brown
Burton	Carter	Champion	Childers	Copeland
Crump 152	Daniels 41	Donovan	Elliott	Farmer
Fiebelman	Foster	Froelker	Garnett	Gibbons
Goward	Graham	Gratz	Gunn	Hand
Heckemeyer	Hegeman	Hendrickson	Hohulin	Hosmer
Howerton	Kasten	Kelly 27	Koller	Leake
Legan	Long	Marble	Marshall 26	Marshall 133
May 108	McBride	Mitchell	Montgomery	Murray 135
Naeger	Nordwald	Oetting	Pouche	Pryor
Richardson	Rizzo	Robirds	Sallee	Scheve
Schwab	Smith	Sombart	Steen	Surface
Tate	Thomason 163	Van Zandt	Vogel	Wannenmacher
Whiteside	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 077

Alter	Barry	Bland	Bonner	Boucher
Canuteson	Chrismer	Cierpiot	Cooper	Crum 112
Daniel 42	Davis	Days	Dougherty	Edwards-Pavia
Enz	Evans	Farnen	Fitzwater	Foley
Ford	Franklin	Gaskill	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Hickey	Hoppe	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Kreider	Lakin
Levin	Liese	Linton	Lograsso	Loudon
Luetkenhaus	Lumpe	Mays 50	McClelland	McLuckie
Morgan	Murray 69	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Pauley	Relford	Reynolds
Ridgeway	Ross	Schilling	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Skaggs	Stokan
Stoll	Summers	Thompson 37	Treadway	Wieland
Wiggins	Witt			

PRESENT: 001

Shields

ABSENT WITH LEAVE: 009

Auer	Clayton	Jacob	Murphy	Prost
Ribaudo	Scott	Troupe	Ward	

VACANCY: 001

HS HCS HB 1186, as amended, was withdrawn.

Representative Hoppe offered **HS # 2 HCS HB 1186.**

Representative Prost offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1186, Page 1, In the Title, Lines 8 and 9, by deleting all of said lines and inserting in lieu thereof the following: "190.239, 190.241, 190.243, 190.245, 190.247, 354.400 and 354.535, RSMo 1994, and section 190.185, RSMo"; and

Further amend said bill, Page 1, In the Title, Line 11, by deleting the word "twenty-eight" and inserting in lieu thereof the following: "thirty"; and

Further amend said bill, Page 1, Section A, Lines 5 and 6 of said page, by deleting all of said lines and inserting

in lieu thereof the following: "190.190, 190.235, 190.237, 190.239, 190.241, 190.243, 190.245, 190.247, 354.400 and 354.535, RSMo 1994, and section 190.185, RSMo Supp. 1995, are"; and

Further amend said bill, Page 1, Section A, Line 7 of said page, by deleting the word "twenty- eight" and inserting in lieu thereof the following: "thirty"; and

Further amend said bill, Page 2, Section A, Line 5 of said page, by deleting all of said line and inserting in lieu thereof the following: "190.205, 190.241, 190.243, 354.400 and 354.535, to read as follows:"; and

Further amend said bill, Page 39, Section 190.243, Line 1 of said page, by inserting after all of said line the following:

"354.400. As used in sections 354.400 to 354.550, the following terms [shall] mean:

(1) "Basic health care services", health care services which an enrolled population might reasonably require in order to be maintained in good health, including, as a minimum, emergency care, inpatient hospital and physician care, and outpatient medical services;

(2) "Director", the director of the department of insurance;

(3) **"Emergency services", those health care services provided in a licensed hospital emergency facility after the sudden onset of a medical condition that manifests itself by symptoms of sufficient severity, including severe pain, that would lead a prudent layperson, possessing an average knowledge of medicine and health, to believe that urgent or unscheduled medical care is required;**

(4) "Enrollee", an individual who has been enrolled in a health maintenance organization;

[(4)] **(5)** "Evidence of coverage", any certificate, agreement, or contract issued to an enrollee setting out the coverage to which [he] **the enrollee** is entitled;

[(5)] **(6)** "Health care services", any services included in the furnishing to any individual of medical or dental care or hospitalization, or incident to the furnishing of such care or hospitalization, as well as the furnishing to any person of any and all other services for the purpose of preventing, alleviating, curing, or healing human illness, injury, or physical disability;

[(6)] **(7)** "Health maintenance organization", any person which undertakes to provide or arrange for basic and supplemental health care services to enrollees on a prepaid basis, or which meets the requirements of section 1301 of the United States Public Health Service Act;

[(7)] **(8)** "Health maintenance organization plan", any arrangement whereby any person undertakes to provide, arrange for, pay for, or reimburse any part of the cost of any health care services and at least part of such arrangement consists of providing and assuring the availability of basic health care services to enrollees, as distinguished from mere indemnification against the cost of such services, on a prepaid basis through insurance or otherwise, and as distinguished from the mere provision of service benefits under health service corporation programs;

[(8)] **(9)** "Individual practice association", a partnership, corporation, association, or other legal entity which delivers or arranges for the delivery of health care services and which has entered into a services arrangement with persons who are licensed to practice medicine, osteopathy, dentistry, chiropractic, pharmacy, podiatry, optometry, or any other health profession and a majority of whom are licensed to practice medicine or osteopathy. Such an arrangement shall provide:

(a) That such persons shall provide their professional services in accordance with a compensation arrangement established by the entity; and

(b) To the extent feasible for the sharing by such persons of medical and other records, equipment, and professional, technical, and administrative staff;

[(9)] **(10)** "Medical group/staff model", a partnership, association, or other group:

(a) Which is composed of health professionals licensed to practice medicine or osteopathy and of such other licensed health professionals (including dentists, chiropractors, pharmacists, optometrists, and podiatrists) as are necessary for the provisions of health services for which the group is responsible;

(b) A majority of the members of which are licensed to practice medicine or osteopathy; and

(c) The members of which (i) as their principal professional activity over fifty percent individually and as a group responsibility engaged in the coordinated practice of their profession for a health maintenance organization; (ii) pool their income from practice as members of the group and distribute it among themselves according to a prearranged salary or drawing account or other plan, or are salaried employees of the health maintenance organization; (iii) share medical and other records and substantial portions of major equipment and of professional, technical, and administrative staff; (iv) establish an arrangement whereby an enrollee's enrollment status is not known to the member of the group who provides health services to the enrollee;

[(10)] **(11)** "Person", any partnership, association, or corporation;

[(11)] **(12)** "Provider", any physician, hospital, or other person which is licensed or otherwise authorized in this state to furnish health care services;

[(12)] **(13)** "Uncovered expenditures", the costs of health care services that are covered by a health maintenance organization, but that are not guaranteed, insured, or assumed by a person or organization other than the health maintenance organization, or those costs which a provider has not agreed to forgive enrollees if the provider is not paid by the health maintenance organization.

354.535. [In the event that] **1. If** a pharmacy, operated by or contracted with by a health maintenance organization, is closed or is unable to provide health care services to an enrollee in an emergency, a pharmacist may take an assignment of such enrollee's right to reimbursement, if the policy or contract provides for such reimbursement, for those goods or services provided to a [member] **enrollee** of a health maintenance organization. No health maintenance organization shall refuse to pay the pharmacists any payment due the enrollee under the terms of the policy or contract.

2. Health maintenance organization plan shall include twenty-four hours access to emergency services. A plan may not require prior authorization for emergency services, which include a medical screening exam and stabilizing treatment as defined in Section 1867 of the Social Security Act.

3. A health maintenance organization plan may require prior authorization for medically necessary services arising from such screening exam. A health maintenance organization plan or its contracting medical providers shall provide twenty-four hour access for enrollees and providers to request timely authorization for medically necessary care. Prior authorization shall be deemed to be approved unless the request for authorization is denied within thirty minutes. The access line shall be staffed twenty-four hours a day. The personnel staffing the line shall have access to a physician whenever necessary to make a determination regarding preauthorization.

4. A health maintenance organization plan shall reimburse providers for emergency services, federally mandated screening examinations as required by Section 1867 of the Social Security Act, and care of its enrollees, until such care results in the stabilization of the enrollee and the health maintenance organization plan assumes care of the enrollee, whether or not such providers have a contractual relationship with the health maintenance organization plan.

5. If the health maintenance organization staff person licensed by the state of Missouri to make determinations and give authorization for treatment and the attending physician disagree concerning the proper treatment for an enrollee who, following emergency services, is unstable as defined by section 1867 of the Social Security Act, the health maintenance organization shall take all legal and financial responsibility if the health maintenance organization acts against the recommendations of the attending physician.

6. If a primary care physician or health maintenance organization has authorized the evaluation or treatment of an enrollee, the health maintenance organization may not retrospectively deny the authorization for such evaluation and treatment.".

On motion of Representative Prost, House Amendment No. 1 was adopted.

Representative Wannenmacher offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1186, Page 11, Section 190.100, Lines 17 through 20 by deleting said lines and inserting in lieut thereof the following:

"(9) "Emergency care", bona fide emergency services provided after the sudden onset of a medical condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in:

(a) placing the patient's health in serious jeopardy;

(b) serious impairment to bodily functions; or

(c) serious dysfunction of a bodily organ or part;"

Representative Wannenmacher moved that House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Kelly (27) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1186, page 36, section 190.241, lines 8-15, by deleting said lines.

On motion of Representative Kelly (27), House Amendment No. 3 was adopted.

Representative Foley offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1186, page 39, section 190.243, by inserting after said section:

"Section 1.

1) After August 28, 1996, ambulance districts in the state of Missouri may contract out to a private company to provide ambulance service only if a majority of voters of the political subdivision authorize such a proposal at a public election.

2) The ballot of submission shall be in the following form:

Shall the _____ (insert the name of the ambulance district) contract out thea
ambulance service of thedistrict to a private company.

_____ Yes

_____ No

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the ambulance district shall have no power to privatize the ambulance service of the ambulance district.

On motion of Representative Foley, House Amendment No. 4 was adopted.

Representative Copeland offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1186, Page 27, Line 12 of said page, by inserting immediately after all of said line the following:

"**5. The provisions of this section shall not apply to any ambulance service in existence on August 28, 1996.**".

Representative Witt assumed the Chair.

Representative Copeland moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 064

Ballard	Barnett 4	Bartelsmeyer	Boatright	Bray
Burton	Carter	Champion	Childers	Clayton
Copeland	Crump 152	Davis	Dougherty	Elliott
Farmer	Fiebelman	Foster	Garnett	Gibbons
Goward	Graham	Gratz	Hand	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hosmer	Howerton
Kasten	Kelly 27	Klumb	Koller	Leake
Legan	Marble	Marshall 26	Marshall 133	May 108
McBride	Montgomery	Murray 135	Naeger	Nordwald
Pouche	Relford	Richardson	Rizzo	Robirds
Sallee	Scheve	Schwab	Shear 83	Smith
Sombart	Surface	Thomason 163	Van Zandt	Vogel
Wannenmacher	Wieland	Williams 159	Wooten	

NOES: 081

Akin	Alter	Barry	Bennett 15	Bonner
Boucher	Broach	Canuteson	Chrismer	Cierpiot
Cooper	Crum 112	Daniel 42	Daniels 41	Days
Donovan	Edwards-Pavia	Enz	Evans	Farnen
Fitzwater	Foley	Ford	Franklin	Froelker
Gaskill	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Hickey	Hoppe	Jacob	Kauffman	Keeven
Kelley 47	Kreider	Lakin	Levin	Liese
Linton	Lograsso	Long	Loudon	

Luetkenhaus				
Lumpe	Mays 50	McClelland	McLuckie	Morgan
Murphy	Murray 69	O'Connor	O'Neill	O'Toole
Oetting	Overschmidt	Reynolds	Ridgeway	Ross
Schilling	Sears 1	Secrest	Sheldon 104	Shelton 57
Skaggs	Stokan	Stoll	Summers	Tate
Thompson 37	Treadway	Whiteside	Wiggins	Witt

Mr. Speaker

PRESENT: 005

Backer	Brown	Ostmann	Shields	Williams 121

ABSENT WITH LEAVE: 012

Auer	Bland	Kissell	Mitchell	Pauley
Prost	Pryor	Ribaudo	Scott	Steen
Troupe	Ward			

VACANCY: 001

Representative Montgomery offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute No. 2 for House Committee Substitute for House Bill No. 1186, Page 23, Section 190.107, Line 10 of said page, by inserting after the figure "**190.107.**" the following: "**1.**"; and

Further amend said bill, Page 24, Section 190.107, Line 4 of said page, by inserting after all of said line the following:

"**2. In the event that two or more ambulance service areas encompass all or a portion of the same area, the department may not prohibit an air ambulance service from providing service in any part of such area solely because more than one air ambulance service operates in such area.**".

On motion of Representative Montgomery, House Amendment No. 6 was adopted.

Representative Van Zandt moved that **HS # 2 HCS HB 1186**, **as amended,** lay on the table.

Which motion was defeated by the following vote:

AYES: 060

Akin	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Bray	Brown	Burton	Carter	Champion
Childers	Copeland	Davis	Elliott	Fiebelman
Foster	Gaskill	Gibbons	Graham	Gratz
Hand	Hegeman	Hendrickson	Howerton	Kasten
Kelly 27	Koller	Leake	Legan	Long
Marble	Marshall 26	Marshall 133	McBride	Morgan
Murphy	Murray 135	Naeger	Nordwald	Oetting
Pouche	Richardson	Rizzo	Robirds	Sallee
Scheve	Schilling	Schwab	Shear 83	Smith
Sombart	Surface	Thomason 163	Van Zandt	Wannenmacher
Whiteside	Wieland	Williams 121	Williams 159	Wooten

NOES: 086

Alter	Backer	Barry	Boatright	Bonner
Boucher	Broach	Canuteson	Chrismer	Cierpiot
Clayton	Cooper	Crum 112	Crump 152	Daniel 42
Daniels 41	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fitzwater
Foley	Ford	Franklin	Froelker	Garnett
Goward	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 124	Hall	Harlan	Hartzler 123	Hartzler
Heckemeyer	Hickey	Hohulin	Hoppe	Hosmer
Jacob	Kauffman	Keeven	Kelley 47	Klumb
Kreider	Lakin	Levin	Liese	Linton
Lograsso	Loudon	Luetkenhaus	Lumpe	May 108
Mays 50	McClelland	McLuckie	Montgomery	Murray 69

O'Neill	O'Toole	Ostmann	Overschmidt	Relford
Reynolds	Ridgeway	Ross	Sears 1	Secrest
Sheldon 104	Shelton 57	Skaggs	Stokan	Stoll
Summers	Tate	Thompson 37	Wiggins	Witt

Mr. Speaker

PRESENT: 001

Shields

ABSENT WITH LEAVE: 015

Auer	Bland	Kissell	Mitchell	O'Connor
Pauley	Prost	Pryor	Ribaudo	Scott
Steen	Treadway	Troupe	Vogel	Ward

VACANCY: 001

On motion of Representative Hoppe, **HS # 2 HCS HB 1186, as amended,** was adopted.

On motion of Representative Hoppe, **HS # 2 HCS HB 1186, amended,** was ordered perfected and printed.

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HB 1237 - Budget (Fiscal Note)

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1648, introduced by Representatives Hendrickson and Enz, et al, relating to the gaming proceeds for education fund.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House ofelating to
Representatives that the Senate has taken up and passed **SCS SB 538** entitled:

An act to repeal sections 250.190, 386.025, 393.295, 393.705, 393.710, 393.715, 393.725, 393.730, 393.760 and 393.770, RSMo 1994, relating to joint municipal utility commissions, and to enact eleven new sections relating to the same subject, with a contingent effective date, for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 757**, entitled:

An act to amend chapter 644. RSMo, by adding one new section relating to the authorization of additional state bonds.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 18, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-Seventh Day, Tuesday, April 16, 1996, pages 14 and 15, roll call, by showing Representative Hosmer voting "no" rather than "absent with leave".

Pages 18 and 19, roll call, by showing Representative Howerton voting "no" rather than "absent with leave".

Pages 18 and 19, roll call, by showing Representative Jacob voting "aye" rather than "absent with leave".

Pages 19 and 20, roll call, by showing Representatives Liese, Boatright and Akin voting "aye" rather than "absent with leave".

Page 21, roll call, by showing Representatives Jacob and Chrismer voting "aye" rather than "absent with leave".

Page 32, roll call, by showing Representative Relford voting "aye" rather than "absent with leave".

Page 33, roll call, by showing Representative Keeven voting "aye" rather than "absent with leave".

Pages 34 and 35, roll call, by showing Representative Kreider voting "aye" rather than "absent with leave".

Page 38, roll call, by showing Representative Cierpiot voting "no" rather than "absent with leave".

Pages 38 and 39, roll call, by showing Representative Heckemeyer voting "aye" rather than "absent with leave".

Page 41, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

Page 47, roll call, by showing Representatives Liese and Loudon voting "aye" rather than "absent with leave".

Pages 48 and 49, roll call, by showing Representative Cierpiot voting "aye" rather than "absent with leave".

Page 51, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

Pages 55 and 56, roll call, by showing Representative Fitzwater voting "aye" rather than "absent with leave".

Pages 60 and 61, roll call, by showing Representative Robirds voting "aye" rather than "absent with leave".

Pages 60 and 61, roll call, by showing Representative Brown voting "aye" rather than "no".

Pages 62 and 63, roll call, by showing Representatives Scheve, Brown and Ridgeway voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

COMMERCE

Thursday, April 18, 1996, 9:00 am. Hearing Room 5.

To be considered - SB 708

CONSUMER PROTECTION

Thursday, April 18, 1996. Side gallery upon adjournment. Corrected Notice. Executive session.

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, April 18, 1996, 8:30 am. Hearing Rooms 1 & 2. Discussion and executive session.

To be considered - SB 795

INSURANCE

Tuesday, April 23, 1996, 9:00 am. Hearing Room 8. Executive session.

To be considered - SB 759

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, April 22, 1996, 8:00 pm. Hearing Room 8. Executive session may follow.

To be considered - HB 1647

TRAVEL COMMITTEE

Monday, April 22, 1996, 12:00 pm. Hearing Room 5.

Fifty-eighth Day-Wednesday, April 17, 1996

HOUSE CALENDAR

FIFTY-NINTH DAY, THURSDAY, APRIL 18, 1996

HOUSE BILL FOR SECOND READING

HB 1648

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 57 - Scheve

HOUSE BILLS FOR PERFECTION

1 HCS HB 1149,1150 & 1240 - Jacob
2 HCS HB 1199, 1357 & 1393, HSA 1 for HA 2, HA 2, HS, as amended,

pending - Reynolds - Kissell

3 HB 1380 - Lumpe
4 HCS HB 1557 & 1489 - Days
5 HCS HB 987, 1155, 1158 & 1219 - Jacob
6 HCS HB 1403 - Dougherty
7 HB 1247 - Shelton (57)
8 HCS HB 1588 - Overschmidt
9 HB 944, HCA 1 - Smith
10 HB 1154 - Murray (69)
11 HCS HB 1540 - Green
12 HB 993 - Williams (121)
13 HB 854 - Bland
14 HB 1312 - Tate
15 HCS HB 843 - Daniels (41)
16 HB 1133 - Witt
17 HB 855 - Bland
18 HCS HB 830 & 1082 - Carter
19 HB 1228, HCA 1 - Harlan
20 HB 1279 - Tate
21 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
22 HCS HB 829 & 1254 - May (108)
23 HB 1414, HCA 1 - Smith
24 HCS HB 960 - Rizzo
25 HB 1436, HCA 1 - Dougherty
26 HB 1399, HCA 1 - Leake
27 HCS HB 1112 - Koller
28 HCS HB 1204 - Wiggins
29 HB 816, HCA 1 - Backer
30 HCS HB 961 - Boucher
31 HB 1535 - Kissell
32 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
33 HCS HB 1429 - Liese
34 HCS HB 1143 - Witt
35 HB 856, HCA 1 - Bland
36 HB 1310 - Tate
37 HCS HB 1175, 1120 & 797 - Gratz
38 HCS HB 912 & 1108 - Treadway
39 HB 1579, HCA 1 - Skaggs
40 HB 1562 - Witt
41 HCS HB 1374 - Scheve
42 HB 801, HCA 1 - Schilling
43 HB 1443, HCA 1, HCA 2 - Prost
44 HB 1289 - Liese
45 HCS HB 1278 & 1277 - May (108)
46 HB 1590, HCA 1 - Harlan
47 HB 1145 - Shear (83)
48 HCS HB 1115 - Montgomery
49 HCS HB 1206 & 1484 - Hosmer
50 HB 1575 - Loudon
51 HB 1180 - Williams (159)
52 HB 1080, HCA 1 - Troupe
53 HCS HB 1430 & 1165 - Hosmer
54 HCS HB 1000 - Treadway
55 HCS HB 840 & 841 - Luetkenhaus
56 HB 833, HCA 1 - Dougherty
57 HCS HB 1465 - Hoppe
58 HB 1245 - Farmer
59 HCS HB 867, 893 & 1401 - Morgan
60 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HOUSE BILLS FOR THIRD READING

HS HCS HB 1237, (Budget Fiscal 4-17-96) - Rizzo

HB 1411 - Loudon

HS HB 839 - Luetkenhaus

SENATE BILLS FOR SECOND READING

SS SCS SB 507

SCS SB 538

SB 757

SENATE BILLS FOR THIRD READING - CONSENT

SB 855 - O'Neill

SB 582 - Boucher

SB 834, HCA 1 - Barnett

SCS SB 677, HCA 1 - Sheldon (104)

SB 926, HCA 1 - Childers

SB 522 - Backer

SB 497 - Pryor

SB 803 - Witt

BILLS IN CONFERENCE

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HCS SS SB 687, as amended, E.C. - Lumpe

HCS SB 870, E.C. - Koller

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

COURTESY RESOLUTIONS

HR 765 - Marshall (26)

HR 766 - Marshall (26)

HR 767 - Marshall (26)

HR 768 - Keeven

HR 769 - Franklin

HR 770 - McClelland

HR 771 - McClelland

HR 772 - Richardson

HR 773 - Backer

HR 775 - O'Connor

HR 776 - Wooten

HR 777 - Heckemeyer

HR 778 - McClelland

HR 779 - Ribaudo

HR 780 - Lakin

HR 781 - Ross

HR 783 - Marshall (26)

HR 784 - Hegeman

HR 785 - Hegeman

HR 786 - Surface

HR 787 - Kreider

HR 788 - Marshall (133)

HR 789 - Clayton

HR 790 - Pouche

HR 792 - Gaw

HR 793 - Gaw

HR 794 - Gaw

HR 795 - Schilling

HR 796 - Sears (1)

HR 797 - Stokan

HR 798 - Reynolds

HR 799 - Howerton

HR 800 - Hartzler (124)

HR 801 - Williams (121)

HR 802 - Relford

HR 803 - Copeland

HR 804 - Broach

HR 805 - Oetting

HR 806 - Surface

HR 807 - McClelland

HR 808 - Overschmidt

HR 809 - Elliott

HR 810 - Shelton (57)

HR 811 - Clayton

HR 812 - Williams (121)

HR 813 - Williams (159)

HR 814 - Williams (159)

HR 815 - Gaw

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

FIFTY-NINTH DAY, Thursday, April 18, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Tomorrow, at this hour of the day, this nation will pause as one common people to remember and grieve a tragedy suffered a year ago in Oklahoma City. There will be thanksgiving for those who survived; there will be sorrow for those who died. There will be gratitude for the hundreds of volunteers who worked around the clock -- for those whose prayers were unceasing.

In a world, O God of Compassion, where such things can happen, give us the courage to face down evil and hatred. As those here in this place wrestle with decisions -- whether they're about guns and gifts, or education and environment - help them follow a conscience of good will and justice toward ALL people, regardless of political agenda or racial origin, regardless of policy plans or personal opinions.

Lord of Life, let us never forget that such things can happen and let us strive with perseverance to see that they don't.

Bless now these Representatives, staff and workers. Give them a restful weekend and grant them your ever-constant presence. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Amanda Hertzig, David Douglas, Adrian Wegeng, Joseph Grimm, Kelly Johnson, Amanda Mallot, Kyle Proffitt, Aaron Judd, Katie Woodard, Andrew Pelican, Brian McCormac, Ashley Sproull, Lauren Markenson, Megan Hinkman, Anna Donovan, Mary Heidorn, Trebor Dreyfus, Adam Blankenship, Justin Belter, Shannon Sellens, David Messbarger, Jennifer Drummond, Kevin Keim, Kevin Jakubowicz, Tiffany Meinert, Jennie Huber, Doug Casarella, Alex Fak, Shelley Kofsky, Salil Sheth, Jamie Marsh, Bradley Petzold, Nathan Hoffman, Sarah Pleiness, Shaun Streeter, Mike Wilson, Kelly FitzWilliam, Sean Madsen, Neil Sanders, Michael Lewis, Ethan Rogers, Sam Drzymala, A.J. Eads, Sarah Lemp, Sarah Reinus, Rachel Goldberg and Annie Wischmeyer.

The Journal of the fifty-eighth day was approved as corrected by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin

Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 002

Loudon	Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42	Ribaudo	Sallee	Shelton 57	Thompson 37
Troupe				

VACANCY: 001

RESOLUTIONS

Representative McClelland offered House Resolution No. 816, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barry offered House Resolution No. 817, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 818, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klumb offered House Resolution No. 819, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Nordwald offered House Resolution No. 820, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dougherty offered House Resolution No. 821, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Secrest offered House Resolution No. 822.

Representative Kelly (27) offered House Resolution Nos. 823 and 824, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Secrest offered House Resolution No. 825.

Representative Crum (112) offered House Resolution No. 826, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution No. 827, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 765 through 773, House Resolution Nos. 775 through 781, House Resolution Nos. 783 through 790 and House Resolution Nos. 792 through 815 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 765 through 773, House Resolution Nos. 775 through 781, House Resolution Nos. 783 through 790 and House Resolution Nos. 792 through 815 were adopted.

SECOND READING OF HOUSE BILL

HB 1648 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 507, SCS SB 538, and **SB 757** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1411 and HS HB 839**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF SENATE BILLS - CONSENT

SB 855, with House Committee Amendment No. 1, relating to unemployment compensation, was taken up by Representative O'Neill.

On motion of Representative O'Neill, House Committee Amendment No. 1 was adopted.

On motion of Representative O'Neill, **SB 855, as amended** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Cooper	Daniel 42	Ribaudo	Scheve	Shelton 57

Thompson 37 Troupe

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Boucher moved that motion lay on the table.

The latter motion prevailed.

SB 582, relating to guide and service dogs, was taken up by Representative Boucher.

On motion of Representative Boucher, **SB 582** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Clayton	Copeland	Crum 112
Daniel 42	Daniels 41	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cierpiot	Cooper	Crump 152	Davis	Goward
Kelly 27	Ribaudo	Shelton 57	Thompson 37	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Canuteson moved that motion lay on the table.

The latter motion prevailed.

SB 834, with House Committee Amendment No. 1, relating to unmarked burial sites, was taken up by Representative Barnett (4).

On motion of Representative Barnett (4), House Committee Amendment No. 1 was adopted.

On motion of Representative Barnett (4), **SB 834, as amended,** was read the third time and passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Daniel 42	Daniels 41	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper	Crump 152	Davis	Goward	Jacob
Pryor	Ribaudo	Shelton 57	Thompson 37	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Liese moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

SCS SB 677, with House Committee Amendment No. 1, relating to special permits, was taken up by Representative Sheldon (104).

On motion of Representative Sheldon (104), House Committee Amendment No. 1 was adopted.

On motion of Representative Sheldon (104), **SCS SB 677, as amended,** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Van Zandt	Vogel
Wannenmacher	Wieland	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Treadway

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper	Davis	Foley	Goward	Keeven
Linton	Mays 50	Ribaudo	Shelton 57	Thompson 37
Troupe	Ward	Whiteside	Wiggins	

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69

Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Thomason 163	Van Zandt	Vogel	Wannenmacher
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 006

Hendrickson	Hohulin	Ridgeway	Steen	Treadway

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 015

Boucher	Cooper	Davis	Goward	Green
Keeven	Linton	Lograsso	Ribaudo	Shelton 57
Tate	Thompson 37	Troupe	Ward	Whiteside

VACANCY: 001

On motion of Representative Morgan, title to the bill was agreed to.

Representative O'Neill moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

SB 926, with House Committee Amendment No. 1, relating to school district financial statements, was taken up by Representative Childers.

On motion of Representative Childers, House Committee Amendment No. 1 was adopted.

On motion of Representative Childers, **SB 926, as amended,** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel

Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper	Crump 152	Dougherty	Ford	Goward
Keeven	Klumb	Ribaudo	Sallee	Shelton 57
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Stoll, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

SB 522, relating to school bus operators, was taken up by Representative Backer.

On motion of Representative Backer, **SB 522** was truly agreed to and finally passed by the following vote:

AYES: 117

Auer	Backer	Ballard	Barnett 4	Barry
Bland	Boatright	Bonner	Boucher	Bray
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Copeland	Crum 112	Crump 152	Daniel 42
Davis	Days	Farmer	Farnen	Fiebelman
Fitzwater	Foster	Franklin	Froelker	Garnett
Gaskill	Graham	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Heckemeyer	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Rizzo	Robirds
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 033

Akin	Alter	Bartelsmeyer	Bennett 15	Broach
Brown	Burton	Cierpiot	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Gibbons
Gratz	Hall	Hartzler 124	Hegeman	Hendrickson
Hohulin	Kauffman	Linton	Lograsso	Marshall 133
Montgomery	Ridgeway	Ross	Sallee	Steen
Surface	Whiteside	Wieland		

PRESENT: 001

Ostmann

ABSENT WITH LEAVE: 011

Cooper	Daniels 41	Foley	Ford	Goward

Keeven	Ribaudo	Shelton 57	Thompson 37	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Garnett moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

SB 497, relating to planning and zoning, was taken up by Representative Pryor.

On motion of Representative Pryor, **SB 497** was truly agreed to and finally passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Daniel 42	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foster
Franklin	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 002

Crump 152	Witt

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper	Daniels 41	Foley	Ford	Froelker
Goward	Long	Ribaudo	Richardson	Shelton 57
Stoll	Thompson 37	Troupe	Ward	Whiteside

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Tate, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Pauley moved that motion lay on the table.

The latter motion prevailed.

SB 803, relating to administrative rules, was taken up by Representative Witt and placed on the Informal Calendar.

MOTION

Representative May (108), having voted on the prevailing side, moved that the vote by which **SB 721** was defeated be reconsidered.

Which motion was adopted by the following vote:

AYES: 091

Auer	Backer	Bland	Bonner	Boucher
Bray	Brown	Canuteson	Carter	Champion
Clayton	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Franklin	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kauffman	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Levin	Liese
Luetkenhaus	Lumpe	May 108	Mays 50	McBride
McClelland	McLuckie	Montgomery	Morgan	Murray 69
Murray 135	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Prost	Relford
Reynolds	Rizzo	Sallee	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Skaggs	Smith
Stokan	Stoll	Tate	Thomason 163	Van Zandt
Whiteside	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 059

Akin	Alter	Ballard	Barnett 4	Barry
Bartelsmeyer	Bennett 15	Boatright	Broach	Burton
Childers	Chrismer	Cierpiot	Elliott	Enz
Evans	Foster	Froelker	Griesheimer	Gross
Hall	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kelley 47	Legan
Lograsso	Long	Loudon	Marble	Marshall 26
Marshall 133	Mitchell	Murphy	Naeger	Nordwald
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Schwab	Scott	Secrest	Shields
Sombart	Steen	Summers	Surface	Treadway
Vogel	Wannenmacher	Wieland	Wooten	

PRESENT: 001

Copeland

ABSENT WITH LEAVE: 011

Cooper	Ford	Goward	Hand	Keeven
Linton	Ribaudo	Shelton 57	Thompson 37	Troupe

Ward

VACANCY: 001

SB 721, relating to offenders under treatment program, was taken up by Representative Harlan.

On motion of Representative Harlan, **SB 721** was truly agreed to and finally passed by the following vote:

AYES: 095

Auer	Backer	Bland	Bonner	Boucher
Bray	Brown	Canuteson	Carter	Champion
Childers	Clayton	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty

Edwards-Pavia	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Garnett	Gibbons	Graham	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kauffman	Kissell	Klumb	Koller	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	O'Connor	O'Neill
O'Toole	Ostmann	Overschmidt	Pauley	Prost
Relford	Reynolds	Rizzo	Sallee	Scheve
Schilling	Schwab	Sears 1	Shear 83	Sheldon
104				
Skaggs	Smith	Sombart	Stokan	Stoll
Tate	Thomason 163	Van Zandt	Vogel	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Mr.
Speaker				

NOES: 045

Akin	Alter	Barnett 4	Barry	Bennett
15				
Boatright	Broach	Burton	Elliott	Evans
Foster	Franklin	Gaskill	Gross	Hall
Hartzler 123	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kelley 47	Kreider	Lograsso	Loudon
Marble	Marshall 26	Marshall 133	Naeger	Nordwald
Pouche	Richardson	Ridgeway	Robirds	Ross
Scott	Secrest	Shields	Steen	Summers
Surface	Treadway	Wannenmacher	Wieland	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 022

Ballard	Bartelsmeyer	Chrismer	Cierpiot	Cooper
Daniel 42	Enz	Ford	Froelker	Goward
Hand	Hartzler 124	Keeven	Kelly 27	Linton
Oetting	Pryor	Ribaudo	Shelton 57	Thompson
37				
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 870**: Senators Staples, McKenna, Maxwell, Singleton and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 4.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 8.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 26.**

SENATE CONCURRENT RESOLUTION NO. 26

WHEREAS, agriculture is an ever-changing and ever-expanding industry; and

WHEREAS, in order to survive and make a living in today's market environment, farmers must continue to expand the uses of their products and to find ways to enhance the competitiveness of their farms through the development of new agricultural products; and

WHEREAS, the production of industrial hemp could provide Missouri farmers an additional alternative product; and

WHEREAS, hemp was one of the first plants to be cultivated by humans, more than 12,000 years ago; and

WHEREAS, paper was invented using hemp in China more than 2,000 years ago; and

WHEREAS, hemp was widely grown as a cash crop in Colonial America and was even used to pay taxes. George Washington and Thomas Jefferson grew hemp, and it was turned into paper at a mill owned by Benjamin Franklin; and

WHEREAS, two of the most important documents in the history of the United States, the Constitution and Declaration of Independence, were drafted on hemp paper; and

WHEREAS, Rudolph Diesel designed his engine to run on hemp oil; and

WHEREAS, an acre of hemp produces four times as much paper as an acre of trees and produces an acid-free paper that lasts 1,500 years compared to wood-based paper's shelf-life of 25 to 100 years; and

WHEREAS, hemp is naturally pest and disease resistant and therefore grows without the use of pesticides or herbicides; and

WHEREAS, the roots of hemp penetrate the soil nine to 14 inches deep, bringing subsoil nutrients to the surface and protecting the soil from erosion; and

WHEREAS, hemp produces one of the strongest natural fibers and will produce 10 times more fiber per acre per year than a fully mature forest. It takes 300 years for a forest to grow while a hemp crop matures once a year; and

WHEREAS, the production of industrial hemp does not interfere with the regulation of controlled substances in Missouri since industrial hemp contains a very low THC (delta-9- tetrahydrocannobinol) level and is harvested before reaching that low level. In addition, a permit is required from the federal drug enforcement agency before research can proceed; and

WHEREAS, the University of Missouri Research facility is one of the premier agricultural research facilities in the nation; and

WHEREAS, the development and use of industrial hemp could be in the best interests of the state economy and agriculture in that industrial hemp may be used for the manufacture of rope, sacks, batts, yarn, paper, composite materials, thread, cordage, cloth and other such products as may be made from the fiber or sterilized seed as have been or which may be developed;

NOW, THEREFORE, BE IT RESOLVED by the Missouri Senate of the Eighty-eighth General Assembly, the House of Representatives concurring therein, that the University of Missouri be authorized to grow industrial hemp so as to conduct research on commercial uses for industrial hemp; and

BE IT FURTHER RESOLVED that the University of Missouri submit an annual report of its findings to each successive General Assembly by January 1st; and

BE IT FURTHER RESOLVED that the Secretary of the Senate be instructed to prepare on hemp paper a properly inscribed copy of this Resolution for the Dean of the College of Agriculture at the University of Missouri.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 657**, and requests the House to recede from its position or, failing to do so, grant the Senate a conference thereon.

MOTION

Representative Legan moved that the House refuse to recede from its position on **HCS SCS SB 657** and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SCS SB 657: Representatives Hosmer, Canuteson, Relford, Legan and Lograsso

PERFECTION OF HOUSE JOINT RESOLUTION

HJR 57, relating to bingo, was taken up by Representative Scheve.

Representative Loudon offered House Amendment No. 1.

House Amendment No. 1

AMEND House Joint Resolution No. 57, Page 2, Section A, Line 18, by changing the word "OR" to "AND".

Representative Loudon moved that House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Scheve, **HJR 57** was ordered perfected and printed.

THIRD READING OF HOUSE BILLS

HB 1411, relating to motor vehicle license plates, was taken up by Representative Loudon.

On motion of Representative Loudon, **HB 1411** was read the third time and passed by the following vote:

AYES: 120

Alter	Ballard	Barnett 4	Barry	Bartelsmeyer
Bennett 15	Bland	Boatright	Bonner	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Daniels 41	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farnen
Fiebelman	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Griesheimer
Gross	Hagan-Harrell	Hall	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Kelley 47	Kissell	Koller	Kreider	Leake
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murphy	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Thomason 163	Treadway
Vogel	Wannenmacher	Wieland	Wiggins	Williams 159

NOES: 025

Auer	Backer	Boucher	Bray	Davis
Farmer	Fitzwater	Gratz	Green	Harlan
Jacob	Kelly 27	Lakin	Legan	Murray 69
Murray 135	Ridgeway	Schilling	Tate	Van Zandt
Whiteside	Williams 121	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 017

Akin	Cooper	Crump 152	Daniel 42	Ford
Goward	Gunn	Hand	Keeven	Klumb
Morgan	O'Neill	Ribaudo	Shelton 57	Thompson 37
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Garnett, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

HS HB 839, relating to transient employers, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HS HB 839** was read the third time and passed by the following vote:

AYES: 138

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Froelker	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Prost
Pryor	Relford	Reynolds	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 010

Foster	Garnett	Hall	Hartzler 124	Hohulin
Kelley 47	Lograsso	Pouche	Richardson	Ridgeway

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper	Daniel 42	Ford	Goward	Gunn
Hand	Keeven	Morgan	O'Neill	Ribaudo
Shelton 57	Thompson 37	Troupe	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HB 1380, relating to reimbursement allowance, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **HB 1380** was ordered perfected and printed.

HCS HBs 1557 and 1489, relating to election deadlines, was taken up by Representative Days.

Representative Levin offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, page 12, section 115.123, line 21, by deleting the words "**or school districts may hold special levy elections on such dates**"; and

Further amend said bill, page 12, section 115.123, line 22, by inserting immediately after said line the following:

"**3. This section shall become effective December 1, 1996.**"; and

Further amend said bill by amending the title clause accordingly.

Representative Levin moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 029

Akin	Alter	Auer	Ballard	Bennett
15				
Chrismer	Davis	Enz	Evans	Froelker
Gratz	Green	Hall	Hartzler 124	
Hendrickson				
Hickey	Hohulin	Legan	Levin	Linton
Loudon	Murphy	O'Connor	O'Toole	Pouche
Scott	Sheldon 104	Vogel	Wieland	

NOES: 110

Backer	Barnett 4	Barry	Bartelsmeyer	Bland
Boatright	Bonner	Bray	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Cierpiot	Clayton	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Days	Donovan	Dougherty
Elliott	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Gaskill	Gibbons
Graham	Griesheimer	Gross	Hagan-Harrell	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelly 27
Klumb	Koller	Kreider	Lakin	Leake
Liese	Lograsso	Long	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murray 69
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Overschmidt	Prost	Pryor	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Tate
Thomason 163	Treadway	Van Zandt	Wannenmacher	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Mr.
Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 023

Boucher	Cooper	Edwards-Pavia	Ford	Garnett
Goward	Gunn	Hand	Keeven	Kelley 47
Kissell	Luetkenhaus	Morgan	O'Neill	Pauley
Ribaudo	Richardson	Shelton 57	Surface	Thompson
37				
Troupe	Ward	Wooten		

VACANCY: 001

Representative Days offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, Page 3, Section 115.125, line 3, by inserting immediately after the abbreviation for Revised Statutes of Missouri "RSMo" the following: **or within seven working days after the candidates' names are certified to the officer, whichever is later,"**; and

further amend said bill, page 10, section 115.399, line 1, by inserting immediately thereafter the following: "**or within seven working days after choosing its nominees for president and vice president of the United States, whichever is later,"**

On motion of Representative Days, House Amendment No. 2 was adopted.

Representative Farnen offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, Page 1, In the Title, Line 3, by deleting all of line 3 and inserting in lieu thereof the following: "115.333, 115.373, 115.385, 115.399, 115.401, 115, 535, 115.611, and 115.613, RSMo 1994, and sections"; and

FURTHER AMEND said bill, page 1, section A, line 2, by deleting all of line 2 and inserting in lieu thereof the following:

"**115.333, 115.373, 115.385, 115.399, 115.401, 115.535, 115.611, and 115.613 RSMo 1994, and sections 115.125**" and

FURTHER AMEND said bill, page 1, section A, line 5, by deleting all of line 5 and inserting in lieu thereof the following:

"**115.333, 115.359, 115.373, 115.399, 115.401, 115.535, 115.611, and 115.613, to read as follows:**"; and

FURTHER AMEND said bill, page 11, section 115.535, line 5, by inserting immediately after said line the following:

"115.611. 1. **Except as provided in subsection 4 of section 115.613,** any registered voter of the county may have **[**his or her**] such voter's** name printed on the primary ballot of **[**his or her**] such voter's** party as a candidate for county committeeman or committeewoman by filing a declaration of candidacy in the office of the county election authority and by paying any filing fee required by subsection 2 of this section.

2. Before filing **[**his**] such candidate's** declaration of candidacy, candidates for county committeeman or county committeewoman shall pay to the treasurer of **[**his**] such candidate's** party's county committee, or submit to the county election authority to be forwarded to the treasurer of **[**his**] such candidate's** party's committee, a certain sum of money, as follows:

(1) One hundred dollars if **[**he**] such candidate** is a candidate for county committeeman or committeewoman in any county which has or hereafter has over nine hundred thousand inhabitants or in any city not situated in a county;

(2) Twenty-five dollars if **[**he**] such candidate** is a candidate for county committeeman or committeewoman in any county of the first class containing the major portion of a city which has over three hundred thousand inhabitants;

(3) Except as provided in subdivisions (1) and (2) of this subsection, no candidate for county committeeman or committeewoman shall be required to pay a filing fee.

3. Any person who cannot pay the fee to file as a candidate for county committeeman or committeewoman may have the fee waived by filing a declaration of inability to pay and a petition with the official with whom **[**he**] such candidate** files **[**his**] such candidate's** declaration of candidacy. The provisions of section 115.357 shall apply to all such declarations and petitions.

4. No person's name shall be printed on any official primary ballot as a candidate for county committeeman or committeewoman unless the person has filed a declaration of candidacy with the proper election authority not later than 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

115.613. 1. **Except as provided in subsection 4 of this section,** the qualified man and woman receiving the highest number of votes from each committee district for committeeman and committeewoman of a party shall be members of the county committee of the party.

2. If two or more qualified persons receive an equal number of votes for county committeeman or committeewoman of a party and a higher number of votes than any other qualified person from the party, a vacancy shall exist on the county committee which shall be filled by a majority of the committee in the manner provided in section 115.617.

3. If no qualified person is elected county committeeman or committeewoman from a committee district for a party, a vacancy shall exist on the county committee which shall be filled by a majority of the committee in the manner provided in section 115.617.

4. The provisions of this subsection shall apply only in any county where no filing fee is required for filing a declaration of candidacy for committeeman or committeewoman in a committee district. If only one qualified candidate has filed a declaration of candidacy for committeeman or committeewoman in a committee district for a party prior to the deadline established by law, no election shall be held for committeeman or committeewoman in the committee district for that party and the election authority shall certify the qualified candidate in the same manner and at the same time as candidates elected pursuant to subsection 1 of this section are certified. If no qualified candidate files for committeeman or committeewoman in a committee district for a party, no election shall be held and a vacancy shall exist on the county committee which shall be

filled by a majority of the committee in the manner provided in section 115.617."

On motion of Representative Farnen, House Amendment No. 3 was adopted.

Representative Carter offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, page 11, section 115.535, line 5, by inserting immediately after said line one new section to read as follows:

"Section 1. Other provisions of the law to the contrary notwithstanding, persons running for or serving as a county committee member for a political party pursuant to section 115.609 RSMo, may consolidate all campaign disclosure filings with the committee member's ward organization, provided however, that all limits and restrictions applicable to candidates shall still apply and any consolidated report shall clearly identify the amount and source of any and all funds received or spent on behalf of the committeeman or committeewoman of the ward."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Carter, House Amendment No. 4 was adopted.

Representative Franklin offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bills Nos. 1557 & 1489, Page 12, Section 115.123, Lines 18 to 22, by deleting all of said lines and inserting in lieu thereof the following:

"2. Notwithstanding the provisions of subsection 1 of this section, school districts may hold [special levy] elections on the first Tuesday after the first Monday in [October.] **June. Elections held in February or March shall be for municipal primary elections for the purpose of selecting candidates for the April municipal general election or for school districts to hold elections or both.**".

HCS HBs 1557 and 1489, as amended, with House Amendment No. 5, pending, was laid over.

INTRODUCTION OF HOUSE BILL

The following House Bill was read the first time and 1,000 copies ordered printed:

HB 1649, introduced by Representative Stokan, relating to public assistance benefits.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SS SCS SB 507 - Consumer Protection

CONFERENCE COMMITTEE REPORT
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 870

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on House Committee Substitute for Senate Bill No. 870; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Bill No. 870;

2. That the attached Conference Committee Amendment No. 1, be adopted.

3. That the attached House Committee Substitute for Senate Bill No. 870, with Conference Committee Amendment No. 1, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Don Koller	/s/ Danny Staples
/s/ Ken Fiebelman	/s/ Bill McKenna
/s/ Vicky Hartzler	/s/ Joe Maxwell
/s/ Jess Garnett	/s/ Betty Sims
/s/ Carson Ross	/s/ Morris Westfall

Conference Committee Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 870, Page 3, Section A, Line 2, by striking the numeral "3" and inserting in lieu thereof the numeral "4"; and further on line 4 of section A by striking the numeral "3" and

inserting in lieu thereof the numeral "4".

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 870**, and has taken up and passed **HCS SB 870, as amended by the CCR**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 884** and **841**, entitled:

An act to repeal sections 630.110, 630.115, 630.125, 630.140, 630.155, 630.160, 630.165, 630.167, 630.168, 630.170, 630.175, 630.192, 630.200, 631.110, 631.115, 631.120, 631.135, 631.140, 631.145, 631.150, 631.165, 632.005, 632.300, 632.305, 632.330, 632.335, 632.340, 632.345, 632.350, 632.355, 632.360, 632.365, 632.370, 632.375, 632.380, 632.390, 632.400, 632.410, 632.415, 632.440, 632.455, 633.125 and 633.160, RSMo 1994, and section 630.005, RSMo Supp. 1995, relating to mental health and to enact in lieu thereof fifty-two new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 605**, and has taken up and passed **SB 605, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 723** and **891**, entitled:

An act to repeal sections 67.475, 77.140 and 99.430, RSMo 1994, sections 67.400, 67.455, 67.457, 67.459 and 67.461, RSMo Supp. 1995, relating to political subdivisions, and to enact in lieu thereof eleven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 869**, entitled:

An act to repeal sections 14.040, 56.310, 56.765, 57.280, 57.290, 57.300, 57.955, 66.110, 67.133, 98.330, 141.380, 193.205, 210.160, 210.842, 302.020, 429.090, 429.120, 442.035, 452.330, 452.345, 452.395, 452.402, 452.423, 452.490, 452.610, 454.150, 455.205, 473.420, 473.618, 474.510, 476.053, 476.450, 476.681, 476.682, 479.020, 479.040, 479.260, 479.261, 483.310, 483.312, 483.500, 483.505, 483.510, 483.530, 483.535, 483.545,483.550, 483.580, 483.591, 485.040, 485.130, 485.150, 490.130, 491.280, 492.590, 494.456, 494.480, 506.140, 506.320, 508.200, 508.210, 508.220, 508.230, 511.510, 512.050, 514.010, 514.020, 514.290, 514.300, 514.303, 514.320, 514.330, 514.335, 514.440, 514.450, 514.460, 514.470, 514.475, 514.480, 514.490, 517.151, 531.010, 531.020, 531.050, 531.060, 550.260, 550.300, 561.035, 590.140 and 595.045, RSMo 1994, and sections 302.137, 476.515, 478.401 and 487.170, RSMo Supp. 1995, relating to the judiciary, and to enact in lieu thereof seventy-six new sections relating to the same subject with penalty provisions and an effective date for certain sections.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 2:00 p.m., Monday, April 22, 1996.

Fifty-ninth Day-Thursday, April 18, 1996

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-eighth Day, Wednesday, April 17, 1996, Page 12, Line 5, by deleting the words "Do Pass" and inserting in lieu thereof the following: "Do Pass with House Committee Amendment No. 1".

House Committee Amendment No. 1

AMEND House Bill No. 1577, Page 1, Section 301.143, Lines 11 through 15, by deleting all of the following: "in white on a blue background, and **such sign** may also include any appropriate working to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. **An additional sign shall be posted below or adjacent to the sign described in this subsection which shall state: "There is a fine for illegally parking in this space.**" and inserting in lieu thereof the following: "[in white on a blue background,] and [may] **shall** also include any appropriate [working] **wording** to indicate that the space is reserved for the exclusive use of vehicles which display a distinguishing license plate or card. **The sign described in this subsection shall also state, or an additional sign shall be posted below or adjacent to the sign stating, the following: "$100 Fine.**"; and

Further amend said bill, Page 2, Section 301.143, Line 38, by deleting the word "fifty" and inserting in lieu thereof

the following: "[fifty] **one hundred**"; and

Further amend said bill, Page 3, Section 301.143, Line 66, by deleting the word "**fifty**" and inserting in lieu thereof the following: "**one hundred**"; and

Further amend said bill, Page 3, Section 301.143, Line 70, by inserting immediately after said line the following:

"**9. Nonconforming signs or spaces otherwise required pursuant to this section which are in use prior to the effective date of this act shall not be in violation of this section during the useful life of such signs or spaces. Under no circumstances shall the useful life of the nonconforming signs or spaces be extended by means other than those means used to maintain any sign or space on the owner's property which is not used for vehicles displaying a disabled license plate.**".

Page 12, line 12, by deleting the words "Do Pass by Consent" and inserting in lieu thereof the following: "Do Pass by Consent with House Committee Amendment No. 1".

House Committee Amendment No. 1

AMEND Senate Bill No. 855, Page 1, Section 288.379, Line 13, by inserting immediately after "unemployment" the following: "**compensation shall remain in the unemployment compensation trust fund**"; and

Further amend said bill and section, page 2, line 18, by striking "State" and inserting in lieu thereof "**States**".

Pages 3 and 4, roll call, by showing Representative Franklin voting "yes" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representative Fitzwater voting "no" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representative Kreider voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representative Fitzwater voting "no" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representative Davis voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Davis, Fitzwater, Kreider and Stokan voting "aye" rather than "absent with leave".

Page 14, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 14 and 15, roll call, by showing Representatives Davis, Luetkenhaus and Fitzwater voting "aye" rather than "absent with leave".

Pages 15 and 16, roll call, by showing Representatives Luetkenhaus and Van Zandt voting "aye" rather than "absent with leave".

Pages 16 and 17, roll call, by showing Representative Stokan voting "aye" rather than "absent with leave".

Pages 17 and 18, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 21, roll call, by showing Representatives Davis and Graham voting "aye" rather than "absent with leave".

Page 26, roll call, by showing Representatives Champion, Broach and Ridgeway voting "aye" rather than "absent with leave".

Page 27, roll call, by showing Representative Loudon voting "aye" rather than "absent with leave".

Page 29, roll call, by showing Representatives Marble and Ridgeway voting "aye" rather than "absent with leave".

Page 30, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Pages 36 and 37, roll call, by showing Representative Mitchell voting "no" rather than "absent with leave".

Pages 37 and 38, roll call, by showing Representative Mitchell voting "aye" rather than "absent with leave".

Fifty-ninth Day-Thursday, April 18, 1996

COMMITTEE MEETINGS

CONSUMER PROTECTION

Tuesday, April 23, 1996, 8:00 pm. Hearing Rooms 1 & 2. Executive session will follow.

To be considered - SB 507

ELECTIONS

Monday, April 22, 1996, 7:00 pm. Hearing Room 7.

To be considered - HB 1644, HJR 62, HB 1594, HB 1621, HB 1632

INSURANCE

Tuesday, April 23, 1996, 9:00 am. Hearing Room 8. Executive session.

To be considered - SB 759

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, April 22, 1996, 8:00 pm. Hearing Room 8. Executive session may follow.

To be considered - HB 1647

TRAVEL COMMITTEE

Monday, April 22, 1996, 12:00 pm. Hearing Room 5.

WAYS AND MEANS

Monday, April 22, 1996. Hearing Room 9 upon adjournment. Executive Session

HOUSE CALENDAR

SIXTIETH DAY, MONDAY, APRIL 22, 1996

HOUSE BILL FOR SECOND READING

HB 1649

HOUSE BILLS FOR PERFECTION

1 HCS HB 1149,1150 & 1240 - Jacob
2 HCS HB 1199, 1357 & 1393, HSA 1 for HA 2, HA 2, HS, as amended,

pending - Reynolds - Kissell

3 HCS HB 1557 & 1489, HA 5, pending - Days
4 HCS HB 987, 1155, 1158 & 1219 - Jacob
5 HCS HB 1403 - Dougherty
6 HB 1247 - Shelton (57)
7 HCS HB 1588 - Overschmidt
8 HB 944, HCA 1 - Smith
9 HB 1154 - Murray (69)
10 HCS HB 1540 - Green
11 HB 993 - Williams (121)
12 HB 854 - Bland
13 HB 1312 - Tate
14 HCS HB 843 - Daniels (41)
15 HB 1133 - Witt
16 HB 855 - Bland
17 HCS HB 830 & 1082 - Carter
18 HB 1228, HCA 1 - Harlan
19 HB 1279 - Tate
20 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
21 HCS HB 829 & 1254 - May (108)
22 HB 1414, HCA 1 - Smith
23 HCS HB 960 - Rizzo
24 HB 1436, HCA 1 - Dougherty
25 HB 1399, HCA 1 - Leake
26 HCS HB 1112 - Koller
27 HCS HB 1204 - Wiggins
28 HB 816, HCA 1 - Backer
29 HCS HB 961 - Boucher
30 HB 1535 - Kissell
31 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
32 HCS HB 1429 - Liese
33 HCS HB 1143 - Witt
34 HB 856, HCA 1 - Bland
35 HB 1310 - Tate
36 HCS HB 1175, 1120 & 797 - Gratz
37 HCS HB 912 & 1108 - Treadway
38 HB 1579, HCA 1 - Skaggs
39 HB 1562 - Witt
40 HCS HB 1374 - Scheve
41 HB 801, HCA 1 - Schilling

42 HB 1443, HCA 1, HCA 2 - Prost
43 HB 1289 - Liese
44 HCS HB 1278 & 1277 - May (108)
45 HB 1590, HCA 1 - Harlan
46 HB 1145 - Shear (83)
47 HCS HB 1115 - Montgomery
48 HCS HB 1206 & 1484 - Hosmer
49 HB 1575 - Loudon
50 HB 1180 - Williams (159)
51 HB 1080, HCA 1 - Troupe
52 HCS HB 1430 & 1165 - Hosmer
53 HCS HB 1000 - Treadway
54 HCS HB 840 & 841 - Luetkenhaus
55 HB 833, HCA 1 - Dougherty
56 HCS HB 1465 - Hoppe
57 HB 1245 - Farmer
58 HCS HB 867, 893 & 1401 - Morgan
59 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HOUSE BILLS FOR THIRD READING

HS HCS HB 1237, (Budget Fiscal 4-17-96) - Rizzo

HS#2 HCS HB 1186 - Hoppe

SENATE BILLS FOR SECOND READING

SS SCS SB 723 & 891

SS SCS SB 869

SCS SB 884 & 841

SENATE BILL FOR THIRD READING - INFORMAL

SB 803 - Witt

BILLS IN CONFERENCE

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HCS SS SB 687, as amended, E.C. - Lumpe

CCR HCS SB 870, E.C. - Koller

HCS SCS SB 657 - Legan

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HCR 12, (4-17-96, pg. 11) - Foster

Fifty-ninth Day-Thursday, April 18, 1996

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SIXTIETH DAY, Monday, April 22, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"How manifold your works, O Lord, in wisdom you have wrought them all - the earth is full of your creatures." (Ps. 104:24).

As we celebrate Earth Day, we praise you our God for the beautiful rain overnight and we life up in prayer those who suffered most from the severity of the thunderstorms and the tornados.

We pray for a greater respect for the earth and its fruits and resources and a just concern for all of its citizens. We pray also about the growing tension in our state over the activity of the Freemen and for all the high profile tension in our world here and overseas that common sense, dialogue and the willingness to see one another as sacred creatures will help us solve our problems. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Clay Thompson, Matt Trail, Garrett Stokan, Patrick Green, Molly Jasper, Chip Lewis and Ryan Cheek.

The Journal of the fifty-ninth day was approved as corrected.

RESOLUTIONS

Representative Thomason (163) offered House Resolution No. 828, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Liese offered House Resolution Nos. 829 and 830, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Morgan offered House Resolution No. 831, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hosmer offered House Resolution No. 832, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILL

HB 1649 was read the second time.

SECOND READING OF SENATE BILLS

SS SCS SB 723 & **891, SS SCS SB 869,** and **SCS SB 884** & **841** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS #2 HCS HB 1186**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HJR 57 and HB 1380**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

HOUSE CONCURRENT RESOLUTION

HCR 12, relating to National Day of Prayer, was taken up by Representative Foster.

On motion of Representative Foster, **HCR 12** was adopted.

BILL IN CONFERENCE

CCR HCS SB 870, relating to conveyance of property, was taken up by Representative Koller.

On motion of Representative Koller, **CCR HCS SB 870** was adopted by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Murphy
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Bartelsmeyer	Crump 152	Ford	Goward	Gunn
Hohulin	Linton	Lumpe	Morgan	Murray 69
Ribaudo	Ridgeway	Thompson 37	Wiggins	

VACANCY: 001

On motion of Representative Koller, **HCS SB 870, as amended by the CCR,** was truly agreed to and finally passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Murphy	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 004

Chrismer	Evans	Hendrickson	Keeven	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Crump 152	Ford	Goward	Gunn
Hohulin	Jacob	Lumpe	Morgan	Murray 69
Ribaudo	Thompson 37	Wiggins		

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boucher
Bray 84	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Hagan-Harrell
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott

Sears 1	Secrest	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 013

Boatright	Chrismer	Evans	Froelker	Gross
Hall	Hendrickson	Hohulin	Keeven	Lograsso
Loudon	Richardson	Ridgeway		

PRESENT: 000

ABSENT WITH LEAVE: 016

Bartelsmeyer	Bonner	Crump 152	Daniel 42	Daniels 41
Ford	Goward	Gunn	Hosmer	Lumpe
Morgan	Murray 69	Ribaudo	Shear 83	Thompson 37

Wiggins

VACANCY: 001

On motion of Representative Bray, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Kreider moved that motion lay on the table.

The latter motion prevailed.

The Speaker assumed the Chair.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SB 530, SB 630, SCS SB 662, SB 693, SCS SB 694, SB 702, SCS SB 758, SB 766, SB 811, SB 830, SB 837, SB 846, SB 850, SB 883, SB 929 and SB 940** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

PERFECTION OF HOUSE BILL

HCS HBs 1557 and 1489, as amended, with House Amendment No. 5, pending, relating to election deadlines, was again taken up by Representative Days (71).

Representative Kelly (27) offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No.5

AMEND House Committee Substitute for House Bill Nos. 1557 and 1489, page 12, section 115.123, lines 1-22, by deleting all of said lines and inserting in lieu thereof the following:

115.123. [1.] All public elections shall be held on Tuesday. Except bond elections necessitated by fire, vandalism or natural disaster, except elections for which ownership of real property is required by law for voting, except special elections to fill vacancies and to decide tie votes or election contests, except the presidential primary election, [except elections authorized in subsection 4 of this section,] and except as otherwise expressly provided by city or county charter, all public elections shall be held on the general election day, the primary election day, the municipal primary day, municipal general election day, the first Tuesday after the first Monday in February, except in presidential election years, March, June, August, or November or with an election on another day expressly provided by city or county charter. The election authority of each county shall make the selection of either the February or March election date, but not both dates for the same political subdivision or special district. After January 1, 1978, no city or county shall adopt a charter or charter amendment which calls an election on any day other than the February or March, April, June, August, or November election days specified in this section.

[2. Notwithstanding the provisions of subsection 1 of this section, school districts may hold special levy elections

on the first Tuesday after the first Monday in October.]"

Representative Kelly (27) moved that House Substitute Amendment No. 1 for House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 065

Backer	Barnett 4	Barry 100	Bland	Bray 84
Canuteson	Carter	Clayton	Copeland	Crum 112
Daniel 42	Daniels 41	Davis	Days	Farmer
Fitzwater	Foley	Hagan-Harrell	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hickey	Hoppe	Hosmer
Jacob	Kauffman	Kelly 27	Klumb	Koller
Lakin	Leake	Liese	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Montgomery
Overschmidt	Pauley	Prost	Relford	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Shelton 57	Shields	Skaggs	Smith	Stoll
Summers	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 084

Akin	Alter	Auer	Ballard	Bennett 15
Boatright	Bonner	Boucher	Broach	Brown
Burton	Champion	Childers	Chrismer	Cierpiot
Cooper	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hand	Hartzler 124	Hendrickson	Hohulin
Howerton	Kasten	Keeven	Kelley 47	Kissell
Kreider	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 133
Mitchell	Murphy	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Secrest	Sheldon 104
Sombart	Steen	Stokan	Surface	Vogel
Wannenmacher	Whiteside	Wieland	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 013

Bartelsmeyer	Crump 152	Ford	Goward	Gunn
Lumpe	Morgan	Murray 69	Ribaudo	Scott
Thompson 37	Ward	Wiggins		

VACANCY: 001

On motion of Representative Franklin, House Amendment No. 5 was adopted by the following vote:

AYES: 102

Auer	Backer	Barnett 4	Barry 100	Bennett 15
Bland	Bonner	Boucher	Bray 84	Broach
Brown	Canuteson	Carter	Champion	Cierpiot
Clayton	Copeland	Crum 112	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Garnett
Gibbons	Graham	Gratz	Griesheimer	Gross
Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Jacob	Kauffman
Kelly 27	Kissell	Klumb	Koller	Lakin
Leake	Liese	Luetkenhaus	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley

Prost	Relford	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stoll	Summers	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 043

Akin	Alter	Ballard	Boatright	Burton
Chrismer	Cooper	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Foster	Froelker	Gaskill
Green	Hall	Hand	Hartzler 124	
Hendrickson				
Hohulin	Howerton	Kasten	Keeven	Kelley 47
Kreider	Legan	Levin	Linton	Lograsso
Long	Loudon	Marble	Murphy	O'Neill
Pouche	Pryor	Richardson	Ridgeway	Schwab
Secrest	Surface	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 017

Bartelsmeyer	Childers	Crump 152	Ford	Goward
Gunn	Lumpe	Marshall 133	Morgan	Murray 69
Reynolds	Ribaudo	Scott	Stokan	Thompson 37
Ward	Wiggins			

VACANCY: 001

Representative Long offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, Page 1, In the Title, Line 4, by inserting immediately after the section number "115.125" the section number "**115.279**"; and

FURTHER AMEND said bill, page 1, section In the Title, line 5, and deleting the word "sixteen" and inserting in lieu thereof the word "**seventeen**"; and

FURTHER AMEND said bill, page 1, section A, line 2, by inserting at the end of said line the following: "**115.279**,"; and

FURTHER AMEND said bill, page 1, section A, line 3, by deleting the word "fifteen" and inserting in lieu thereof the word "**sixteen**"; and

FURTHER AMEND said bill, page 1, section A, line 4, by inserting immediately after the section number "115.132" the section number "**115.279**"; and

FURTHER AMEND said bill, page 7, section 115.132, line 88, by inserting immediately after said line the following:

"115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by mail, or for the applicant, in person, by his or her guardian or a relative within the second degree by consanguinity or affinity. The election authority may accept applications by facsimile transmission at its discretion and within the limits of its telecommunications capacity.

2. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot and the address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes to receive. If any application fails to designate a ballot, the election authority shall, within three working days after receiving the application, notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates which **political party** ballot he or she wishes to receive. **If the applicant does not respond to the request for political party designation, the election authority is authorized to provide the voter with that part of the ballot for which no political party designation is required.**

3. All applications for absentee ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed in accordance with section 115.281. No application for an absentee ballot **[**submitted**] received in the office of the election authority** by mail, by facsimile transmission or by a guardian or relative after 5:00 p.m. on the Wednesday immediately prior to the election shall be accepted by any election authority. No application for an absentee ballot submitted by the applicant in person after 5:00 p.m. on the day before the election shall be accepted

by any election authority.

4. Each application for an absentee ballot shall be signed by the applicant or, if the application is made by a guardian or relative pursuant to the provisions of this section, the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian or relative is blind, unable to read or write the English language or physically incapable of signing the application, he or she shall sign by mark, witnessed by the signature of an election official or person of his or her own choosing. Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application shall be guilty of a class one election offense.

5. Notwithstanding any law to the contrary, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the armed forces of the United States or members of their immediate family living with them may request an absentee ballot for both the primary and subsequent general election with one application. "

On motion of Representative Long, House Amendment No. 6 was adopted.

Representative Scheve offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bills Nos. 1557 & 1489, Page 1, In The Title, Line 5, by deleting the word "sixteen" and inserting in lieu thereof the word "eighteen"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "sixteen" and inserting in lieu thereof the word "eighteen"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after the number "57.080," the numbers "72.408, 72.422,"; and

Further amend said bill, Page 2, Section 57.080, Line 18, by inserting after all of said line the following:

"**72.408. 1. If a boundary change is disapproved by the commission or by the voters, a boundary change which contains any lot, parcel or tract of land in the disapproved boundary change shall not be submitted to, or processed by, the commission before two years after the date of the disapproved boundary change.**

2. Every petition shall be presented to the commission within two hundred eighty days following the date on which the first signature was affixed to the petition, or any part of such petition. Any petition which is not presented within such two hundred eighty-day period shall be void.

72.422. 1. Notwithstanding any other provision of sections 72.400 to 72.420, residents of an unincorporated area of a county may remain unincorporated and not subject to any boundary change as provided by sections 72.400 to 72.420 if the following is satisfied:

(1) A person presents to the boundary commission a petition signed by a number of registered voters equal to not less than fifteen percent of the number of votes cast for governor in the last gubernatorial election in the unincorporated area;

(2) A legal description of the area accompanies the petition. If there is a minor error or discrepancy in the legal description of the area, the commission, with the concurrence of the proponents of the petition, may make such changes to the proposal as are necessary to rectify the error in the legal description;

(3) The area contains a population of not less than ten thousand;

(4) Within thirty days of the filing of the petition with the commission, the governing body of the county passes a resolution that the area described in the petition is reasonable and appropriate to remain an unincorporated territory.

2. Not later than thirty days after the receipt of the items set forth in subdivisions (1) to (4) of subsection 1, the commission upon a finding that the proposal satisfies the criterion of subdivisions (1) to (4) of subsection 1 shall submit the proposal to the voters within the described unincorporated area for voter approval or disapproval. The proposal shall be submitted at the next general or special election in accordance with the provisions of chapter 115, RSMo. The cost of the election shall be paid by the county. If the proposal is approved by the voters then the area shall remain unincorporated territory for a period of not less than ten years from the date of the vote and shall not be subject to any boundary change provided for in sections 72.400 to 72.420.

3. A petition submitted under this section shall take precedence over any other boundary change proposal which includes any territory within the unincorporated petition. No boundary change proposal which includes any territory within an unincorporated petition shall be approved or submitted to the voters until the unincorporated proposal is voted upon.

4. If the commission fails to comply with the provisions of this section, the proponents of the petition may file a mandamus action or other appropriate action to compel compliance with the ministerial duties set out in this section.".

Representative Evans raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Gibbons offered House Amendment No. 1 to House Amendment No. 7.

House Amendment No. 1
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for House Bills Nos. 1557 and 1489, Page 1, Section 72.408, Line 12, by inserting an opening bracket ("[") immediately after "1." on said line and a closing bracket ("]") on page 2, line 3 immediately after "2.".

Representative Gibbons moved that House Amendment No. 1 to House Amendment No. 7 be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Elliott	Enz	Evans	Foster	Garnett
Gaskill	Gibbons	Graham	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kauffman	Keeven
Kelley 47	Legan	Levin	Linton	Lograsso
Long	Loudon	Marble	Marshall 133	McClelland
Mitchell	Murphy	Murray 135	Naeger	Nordwald
Oetting	Pouche	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Sombart	Steen	Summers
Surface	Vogel	Wannenmacher	Whiteside	Wieland

Wooten

NOES: 079

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Franklin
Gratz	Green	Hagan-Harrell	Harlan	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Montgomery	O'Connor	O'Neill	O'Toole	Overschmidt
Pauley	Prost	Relford	Reynolds	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Williams 121	Williams 159	Witt	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 012

Crump 152	Ford	Froelker	Goward	Gunn
Morgan	Murray 69	Ostmann	Ribaudo	Thompson 37
Ward	Wiggins			

VACANCY: 001

Representative Scheve offered House Amendment No. 2 to House Amendment No. 7.

House Amendment No. 2
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for House Bills Nos. 1557 and 1489, Page 1, Section 72.408, Lines 1 and 2, by deleting the words "**by the commission**" from said lines

Representative Donovan offered House Substitute Amendment No. 1 for House Amendment No. 2 to House Amendment No. 7.

Representative Scheve raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 2 to House Amendment No. 7 is not a true substitute.

The Chair ruled the point of order well taken.

On motion of Representative Scheve, House Amendment No. 2 to House Amendment No. 7 was adopted.

Representative Donovan offered House Amendment No. 3 to House Amendment No. 7.

House Amendment No. 3
to
House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for House Bills Nos. 1557 and 1489, Page 2, Line 9, by adding after the word "**county**" the following or of an area to be annexed;

and on Line 10, by adding after the word "unincorporated" the following: "or annexed";

and on Line 16, by adding after the word area the following: "or unannexed area".

Page 3, Line 17, by deleting the word "territory" and insert in lieu thereof "and annexed"

On motion of Representative Donovan, House Amendment No. 3 to House Amendment No. 7 was adopted.

On motion of Representative Scheve, House Amendment No. 7, as amended, was adopted by the following vote:

AYES: 080

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Broach	Canuteson	Carter
Clayton	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Franklin	Gratz	Green	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Keeven	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Liese	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McLuckie
Montgomery	O'Connor	O'Neill	O'Toole	Overschmidt
Pauley	Prost	Relford	Reynolds	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Ward	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 071

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Brown	Burton	Champion
Childers	Chrismer	Cierpiot	Cooper	Edwards-Pavia
Enz	Evans	Foster	Garnett	Gaskill
Gibbons	Graham	Griesheimer	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kauffman	Kelley 47
Legan	Levin	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	McClelland	Mitchell
Murphy	Murray 135	Naeger	Nordwald	Oetting
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface
Troupe	Vogel	Wannenmacher	Whiteside	Wieland

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 011

Elliott	Ford	Froelker	Goward	Gunn
McBride	Morgan	Murray 69	Ostmann	Ribaudo

Wiggins

VACANCY: 001

Representative Clayton offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, Page 12, Section 115.123, Line 22, by inserting immediately after said line the following:

"**Section 1. Other provisions of the law to the contrary notwithstanding no proposal pursuant to section 313.812.10 RSMo, shall be submitted to the voters sooner than twenty-four months from the date the last proposal was submitted and defeated.**";

And further amend the title and enacting clause accordingly.

Representative Days (71) raised a point of order that House Amendment No. 8 not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Clayton, House Amendment No. 8 was adopted.

Representative Brown offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, page 12, section 115.123, line 22, by inserting immediately after said line the following:

"**Section 1. Each election authority shall update registered voter lists monthly to remove the names of deceased voters as reported to the election authority by the Missouri Department of Health, Division of Vital Statistics.**"; and

Further amend the title and enacting clause accordingly.

On motion of Representative Brown, House Amendment No. 9 was adopted.

Representative Bennett offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, page 12, section 115.123, line 22, by inserting after all of said line the following:

"**Section 1. It is a class four election offense for any candidate for a county elected office to include his or her name on any official sticker, poster, or document that is paid for with either state or county funds, unless the inclusion of such candidate's name is required by law.**"; and

Further amend the title and enacting clause accordingly.

Representative Marshall (26) offered House Amendment No. 1 to House Amendment No. 10.

House Amendment No. 1

to

House Amendment No. 10

AMEND House Amendment No. 10 to House Committee Substitute for House Bills Nos. 1557 and 1489, page 1, section 115.123, line 3, by deleting "a county" and replacing said words with "**an**"

Representative Marshall (26) moved that House Amendment No. 1 to House Amendment No. 10 be adopted.

Which motion was defeated.

House Amendment No. 10 was withdrawn.

Representative Summers offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, page 12, section 115.123, line 22, by inserting after said line the following:

"115.124. Notwithstanding any other law to the contrary, in a nonpartisan election in any political subdivision except for municipal[,] **and** board of trustees of community college districts [and school board] elections, if the notice provided for in subsection 5 of section 115.127, has been published in at least one newspaper of general circulation in the district, and if the number of candidates who have filed for a particular office is equal to the number of positions in that office to be filled by the election, no election shall be held for such office, and the candidates shall assume the responsibilities of their offices at the same time and in the manner as if they had been elected. Notwithstanding any other provision of law to the contrary, if at any election the number of candidates filing for a particular office exceeds the number of positions to be filled at such election, the election authority shall hold the election as scheduled, even if a sufficient number of candidates withdraw from such contest for that office so that the number of candidates remaining after the filing deadline is equal to the number of positions to be filled."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Days (71) raised a point of order that House Amendment No. 10 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Summers moved that House Amendment No. 10 be adopted.

Which motion was defeated.

Representative Scheve offered House Amendment No. 11.

House Amendment No. 11

AMEND House Committee Substitute for House Bills Nos. 1557 & 1489, Page 1, In the Title, Line 5, by deleting the word "sixteen" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 12, Section C, Line 1, by deleting the word "one" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 12, Section C, Line 2, by deleting "section 115.123" and inserting in lieu thereof the following: "sections 115.123, 1, 2, 3, 4, 5 and 6"; and

Further amend said bill, Page 12, Section 115.123, Line 22, by inserting after all of said line the following:

"**Section 1. 1. As used in sections 1 to 6 of this act, the term "established political party" means a political party which at the last general election for state and county officers, polled for its candidate for governor more than two percent of the entire vote cast for governor in this state.**

2. A statewide presidential preference primary shall be held on the municipal election date held in March, 2000, and on such municipal election date every fourth year thereafter. On or before the eighth Tuesday prior to the date of the presidential preference primary, the secretary of state shall announce the official list of presidential candidates for each established political party as provided in section 2 of this act.

Section 2. 1. The official list of presidential candidates for each established political party shall include the names of all constitutionally qualified candidates who meet all of the requirements specified in the rules of the state or national party organization of each established political party for whom, on or after 8:00 a.m. on the second Tuesday in December in the year preceding the presidential primary, and on or before 5:00 p.m. on the ninth Tuesday prior to the presidential primary, a written request to be included on the presidential primary ballot is filed with the secretary of state along with:

(1) Receipt of payment to the state committee of the established political party on whose ballot the candidate wishes to appear of a filing fee of one thousand dollars; or

(2) A written statement, sworn to before an officer authorized by law to administer oaths, that the candidate is unable to pay the filing fee and does not have funds in a campaign fund or committee to pay the filing fee and a petition signed by not less than one thousand registered voters in each of the state's congressional districts requesting that the candidate's name be placed on the ballot of the specified established political party for the presidential preference primary. The request to be included on the presidential primary ballot shall be in the following form:

I (We) the undersigned, do hereby request that the name of ..... be placed upon the ..... (date of election) presidential primary ballot as candidate for nomination as the nominee for President of the United States on the ..... Party ticket.

2. The state or national party organization of an established political party which adopts rules imposing signature requirements to be met before a candidate can be listed as an official candidate shall notify the

secretary of state by October first of the year preceding the presidential primary.

3. Any person may have his name stricken from the presidential primary ballot by, on or before 5:00 p.m., on the Friday before the eighth Tuesday prior to the election, filing with the secretary of state a written statement, sworn to before an officer authorized by law to administer oaths, requesting that his name not be printed on the official primary ballot. Thereafter, the secretary of state shall not include the name of that person in the official list announced under section 1 of this act or in the certified list of candidates transmitted under section 3 of this act.

4. The filing times set out in this section shall only apply to presidential preference primaries, and are in lieu of those established in section 115.349, RSMo.

Section 3. 1. On or before the eighth Tuesday prior to a presidential preference primary election, the secretary of state shall transmit to each county clerk, or other person whose duty is to prepare ballots for an election for a state office, a certified list containing the names of each candidate whose name shall appear on the presidential preference primary ballot of each party.

2. Each county clerk, or other person whose duty is to prepare ballots for an election for a state office, shall cause the name of candidates certified by the secretary of state to appear on the presidential preference primary ballot of each party along with a listing for an uncommitted vote.

3. The conduct of the presidential preference primary election and the count and canvass of the votes cast therein shall conform as nearly as is practicable to that prescribed for the conduct of the primary election for state officers. All primary election laws not inconsistent with the provisions of sections 1 to 6 of this act shall be applicable to the conduct of this election, and the form of the ballot insofar as is practicable shall be substantially as that prescribed by section 115.395, RSMo.

4. After the count and canvass of the votes cast, the secretary of state shall notify the state chairman of each of the established political parties for whom a candidate was listed, of the number of votes and the proportion of the total number of votes recorded in that established political party's primary that each candidate and uncommitted listing received in each congressional district individually and in the state at large.

Section 4. 1. The state party organization which is the state organization recognized by the national organization of that established political party shall, after the primary and before the national convention, conduct a series of caucuses culminating in congressional and state conventions. Delegates to the national conventions shall be chosen at the congressional district and state conventions pursuant to rules established by the political parties, except that rules so established require that national delegates be pledged to support presidential candidates as provided by sections 1 to 6 of this act. The delegates and alternates shall be selected as provided in this section, except that, if the rules of the national committee of the established political party are in conflict with the provisions of this section, then the national committee rules shall govern the selection of delegates where in conflict with this section.

2. Not less than three-fourths of the convention delegates from the state to the national convention shall be allocated equally to the state congressional districts. Those delegates not allotted to congressional districts shall be allotted to the state as at large delegates. Additional at large delegates allocated to a state under national party rules shall not be included in the calculation of the proportion of the state's delegates allocated to congressional districts and at large.

3. Following the state presidential primary, anyone seeking to be selected as national convention delegate or alternate shall designate whether or not he is committed, and, if committed, to which candidate he is committed.

4. To qualify as a delegate from a congressional district, a person shall be a registered voter of the congressional district from which he seeks to be a delegate. To qualify as an at large delegate, a person shall be a registered voter of this state.

5. If a delegate or alternate dies, withdraws or becomes disqualified after he has been selected and before the national convention for which he is selected has begun, he shall be replaced by a qualified person committed to the same preference and selected by the party's congressional district committee or state committee, as the case may be.

6. Congressional district delegates and alternates shall be selected so that the proportion of the total district delegates and alternates that are committed to each candidate or are uncommitted equals as nearly as possible the proportion of the popular vote cast in the presidential primary selection in that district for each candidate and for the uncommitted position, except that votes for a candidate or for the uncommitted position which total less than fifteen percent of the district total shall be counted as uncommitted in determining proportions of district delegates awarded if the sum of all such votes exceeds fifteen percent of the district total.

7. At large delegates and alternates shall be selected in numerical order from each slate so that the proportion of the total at large delegates and alternates that is uncommitted or committed to each candidate equals as nearly as possible the proportion of the popular vote for that established political party that was cast as uncommitted and for each candidate in the state at large, except that, votes for a candidate or uncommitted listing that total less than fifteen percent of the total shall be counted as uncommitted in determining

proportions of district delegates awarded if the sum of all such votes exceeds fifteen percent of the state total.

8. In determining the number of delegates and alternates to be awarded to each candidate and as the uncommitted delegates and alternates, the percentage of the vote received by each candidate and the percentage of the uncommitted vote in each congressional district or the state at large, as the case may be, shall be multiplied by the total number of delegates allotted to the congressional district or the state at large, as the case may be. The product arrived at for each candidate or the uncommitted vote shall be rounded off to the nearest whole number to arrive at the number of delegates to be awarded to a particular candidate or the uncommitted vote. The percentage of the vote received by each candidate and for uncommitted shall be determined in accordance with the provisions of this section and shall not take into consideration the votes for any candidate or uncommitted listing that total less than fifteen percent of the district total or the state at large, as the case may be.

9. The delegates and alternates shall be selected and allocated as provided in this section, except that, if the rules of the national committee of the established political party are in conflict with the provisions of this section, then the national committee rules shall govern the selection and allocation of delegates where in conflict with this section.

Section 5. 1. Each national convention delegate and alternate shall be bound to vote for the candidate for whom he designated commitment, if any, when he was selected as a delegate or alternate until that or another candidate received the party's nomination, two ballots have been taken or that candidate withdraws, suspends his campaign, releases his delegates, or receives less than fifteen percent of the votes cast on the first ballot, whichever first occurs.

2. Each delegate and alternate, within ten days after accepting selection as a delegate or alternate, shall file with the secretary of state his sworn pledge that he will abide by the provisions of sections 1 to 6 of this act.

3. If the rules of the national committee of an established political party prohibit any delegate from being bound to cast his vote for a candidate, then the provisions of the national committee rules shall govern.

Section 6. Notwithstanding the provisions of sections 115.061 to 115.077, RSMo, to the contrary, a presidential preference primary shall impose on the state of Missouri only those costs which pertain directly to the presidential preference primary and the state shall not be liable for any costs ordinarily incurred by any local election authority conducting an election on the municipal election date in March.".

On motion of Representative Scheve, House Amendment No. 11 was adopted.

Representative Pouche offered House Amendment No. 12.

House Amendment No. 12

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, Page 12, Section 115.123, Line 22, by adding immediately after said line the following:

"Section 1. Any ballot issue of any political subdivision of this state shall not be placed before the voters more than twice in any calendar year, one such election shall be the November general election".; and

further amend the title and enacting clause accordingly.

Representative Farnen raised a point of order that House Amendment No. 12 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Pouche moved that House Amendment No. 12 be adopted.

Which motion was defeated.

Representative Linton offered House Amendment No. 13.

House Amendment No. 13

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, Page 12, Section 115.123, Line 22, by inserting immediately after said line the following:

"Section 1. Other provisions of the law to the contrary notwithstanding any school district bond issue or levy proposal rejected by the voters may not be resubmitted to the voters of the district for a period of two years.";

and further amend the title and enacting clause accordingly.

Representative Days (71) raised a point of order that House Amendment No. 13 is dilatory.

The Chair ruled the point of order not well taken.

Representative Linton moved that House Amendment No. 13 be adopted.

Which motion was defeated by the following vote:

AYES: 023

Akin	Alter	Boatright	Broach	Cierpiot
Evans	Foster	Garnett	Gaskill	Hall
Hohulin	Howerton	Keeven	Levin	Linton
Loudon	Ridgeway	Sallee	Scott	Sheldon
104				
Steen	Vogel	Wieland		

NOES: 122

Auer	Backer	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Bland	Bonner	Boucher
Bray 84	Brown	Canuteson	Carter	Champion
Childers	Chrismer	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Kelly 27	Kissell	Koller
Kreider	Lakin	Legan	Liese	Lograsso
Long	Luetkenhaus	Lumpe	Marshall 26	Marshall
133				
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Murphy	Murray 135	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	
Overschmidt				
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Wannenmacher	Whiteside	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 017

Burton	Ford	Froelker	Goward	Gunn
Kelley 47	Klumb	Leake	Marble	Morgan
Murray 69	Naeger	Ostmann	Ribaudo	Thompson
37				
Ward	Wiggins			

VACANCY: 001

Representative Gross offered House Amendment No. 14.

House Amendment No. 14

AMEND House Committee Substitute for House Bills Nos. 1557 and 1489, Page 12, Section 115.123, by inserting after said section the following:

"**Any ballot measure relating to excursion gambling boats which is approved by the voters, whether by initiative petition or referendum, shall be resubmitted to the same voters for approval if amended or repealed at any time by the general assembly following initial voter approval of the statewide ballot measure. No statute so amended or repealed by the general assembly shall take effect until, the voters have by affirmative vote approved the amendments made by the general assembly.**"

And renumber bill and enacting clause accordingly.

Representative Shelton (57) raised a point of order that House Amendment No. 14 is not germane to the bill.

Representative Days (71) raised a second point of order that House Amendment No. 14 is amending previously amended material.

The Chair ruled the points of order not well taken.

On motion of Representative Gross, House Amendment No. 14 was adopted by the following vote:

AYES: 081

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Canuteson
Champion	Childers	Chrismer	Cierpiot	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Foster
Garnett	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kissell	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marshall 26	Marshall 133
McClelland	Mitchell	Montgomery	Murphy	Murray 135
Naeger	Nordwald	Oetting	Overschmidt	Pouche
Pryor	Relford	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Skaggs	Sombart	Steen	Summers
Surface	Vogel	Wannenmacher	Whiteside	Wieland

Wooten

NOES: 066

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Carter	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Green
Hagan-Harrell	Harlan	Heckemeyer	Hoppe	Hosmer
Jacob	Kelly 27	Klumb	Koller	Kreider
Lakin	Liese	Lumpe	May 108	Mays 50
McBride	McLuckie	O'Neill	O'Toole	Prost
Reynolds	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Smith	Stokan
Stoll	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Williams 121	Williams 159	Witt

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 015

Burton	Ford	Froelker	Goward	Gunn
Leake	Marble	Morgan	Murray 69	O'Connor
Ostmann	Pauley	Ribaudo	Ward	Wiggins

VACANCY: 001

Representative Marshall (133) offered House Amendment No. 15.

Representative Sears (1) raised a point of order that House Amendment No. 15 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Days (71), **HCS HBs 1557 and 1489, as amended,** was adopted.

On motion of Representative Days (71), **HCS HBs 1557 and 1489, as amended,** was ordered perfected and printed.

REFERRAL OF HOUSE RESOLUTIONS

The following House Resolutions were referred to the Committee indicated:

HR 791 - Miscellaneous Bills and Resolutions

HR 822 - Miscellaneous Bills and Resolutions

HR 825 - Miscellaneous Bills and Resolutions

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS #2 HCS HB 1186 - Budget (Fiscal Note)

HB 1648 - Education - Elementary and Secondary

HB 1649 - Social Services, Medicaid and the Elderly

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 26 - Agri-Business

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 538 - Energy and Environment

SS SCS SB 723 & 891 - Commerce

SB 757 - Budget

SS SCS 869 - Judiciary and Ethics

COMMITTEE REPORT

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **HB 1433**, begs leave to report it has examined the same and recommends that it **Do Pass.**

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and 1,000 copies ordered printed:

HB 1650, introduced by Representative Boucher, relating to motor vehicles.

HB 1651, introduced by Representative Akin, relating to education.

HB 1652, introduced by Representative Scheve, et al, relating to gaming funds.

HB 1653, introduced by Representatives Kreider, Crum, Fitzwater, Farnen, Relford, Heckemeyer, Sheldon (104), Sears, Kelly (27), Gratz, Kissell, Luetkenhaus, Hosmer, Barry, Tate, relating to domestic relations.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SCS SB 657**: Senators Westfall, Russell, Johnson, Caskey and Moseley.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 676** , and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, April 23, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-Ninth Day, Thursday, April 18, 1996, pages 1 and 2, roll call, by showing Representative Sallee voting "aye" rather than "absent with leave".

Pages 3 and 4, roll call, by showing Representative Scheve voting "aye" rather than "absent with leave".

Pages 4 and 5, roll call, by showing Representatives Davis, Cierpiot and Kelly (27) voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representative Davis voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Davis and Keeven voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representatives Davis and Keeven voting "aye" rather than "absent with

leave".

Pages 8 and 9, roll call, by showing Representatives Keeven and Sallee voting "aye" rather than "absent with leave".

Pages 10 and 12, roll call, by showing Representative Long voting "aye" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representatives Cierpiot, Chrismer and Hartzler (124) voting "no" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 15 and 16, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Pages 17 and 18, roll call, by showing Representative Edwards-Pavia voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

CHILDREN, YOUTH, AND FAMILIES

Tuesday, April 23, 1996. Hearing Room 5 upon morning adjournment.

To be considered - Executive Session - SB 569, Executive Session - SB 488

CIVIL AND CRIMINAL LAW

Tuesday, April 23, 1996. Hearing Room 8 upon morning adjournment.

To be considered - SB 777

CONSUMER PROTECTION

Tuesday, April 23, 1996, 8:00 pm. Hearing Rooms 1 & 2.

Executive session will follow.

To be considered - SB 507

INSURANCE

Tuesday, April 23, 1996, 9:00 am. Hearing Room 8. Executive session.

To be considered - SB 759

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 23, 1996, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 669

PUBLIC HEALTH AND SAFETY

Tuesday, April 23, 1996, 1:30 pm. Hearing Room 9

To be considered - Executive Session - SB 726

SUB-COMMITTEE ON LEGISLATIVE RESEARCH & OVERSIGHT

Tuesday, April 23, 1996, 1:30 pm. Senate Committee Room 1. Contested fiscal notes.

To be considered - SB 884, HB 1186

HOUSE CALENDAR

SIXTY-FIRST DAY, TUESDAY, APRIL 23, 1996

HOUSE BILLS FOR SECOND READING

HB 1650 through HB 1653

HOUSE BILLS FOR PERFECTION

1 HCS HB 1149,1150 & 1240 - Jacob
2 HCS HB 1199, 1357 & 1393, HSA 1 for HA 2, HA 2, HS, as

amended, pending-Reynolds - Kissell

HCS HB 987, 1155, 1158 & 1219 - Jacob
HCS HB 1403 - Dougherty
HB 1247 - Shelton (57)
HCS HB 1588 - Overschmidt
HB 944, HCA 1 - Smith
HB 1154 - Murray (69)
HCS HB 1540 - Green
HB 993 - Williams (121)
HB 854 - Bland
HB 1312 - Tate
HCS HB 843 - Daniels (41)
HB 1133 - Witt
HB 855 - Bland
HCS HB 830 & 1082 - Carter
HB 1228, HCA 1 - Harlan
HB 1279 - Tate
HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
HCS HB 829 & 1254 - May (108)
HB 1414, HCA 1 - Smith
HCS HB 960 - Rizzo
HB 1436, HCA 1 - Dougherty
HB 1399, HCA 1 - Leake
HCS HB 1112 - Koller
HCS HB 1204 - Wiggins
HB 816, HCA 1 - Backer
HCS HB 961 - Boucher
HB 1535 - Kissell
HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
HCS HB 1429 - Liese
HCS HB 1143 - Witt
HB 856, HCA 1 - Bland
HB 1310 - Tate
HCS HB 1175, 1120 & 797 - Gratz
HCS HB 912 & 1108 - Treadway
HB 1579, HCA 1 - Skaggs
HB 1562 - Witt
HCS HB 1374 - Scheve
HB 801, HCA 1 - Schilling
HB 1443, HCA 1, HCA 2 - Prost
HB 1289 - Liese
HCS HB 1278 & 1277 - May (108)
HB 1590, HCA 1 - Harlan
HB 1145 - Shear (83)
HCS HB 1115 - Montgomery
HCS HB 1206 & 1484 - Hosmer
HB 1575 - Loudon
HB 1180 - Williams (159)
HB 1080, HCA 1 - Troupe
HCS HB 1430 & 1165 - Hosmer
HCS HB 1000 - Treadway
HCS HB 840 & 841 - Luetkenhaus
HB 833, HCA 1 - Dougherty
HCS HB 1465 - Hoppe
HB 1245 - Farmer
HCS HB 867, 893 & 1401 - Morgan
HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HOUSE JOINT RESOLUTIONS FOR THIRD READING

HJR 57 - Scheve

HOUSE BILLS FOR THIRD READING

HS HCS HB 1237, (Budget Fiscal 4-17-96) - Rizzo

HS#2 HCS HB 1186, (Budget Fiscal 4-22-96) - Hoppe

HB 1380 - Lumpe

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

BILLS CARRYING REQUEST MESSAGES

HCS SB 676, request House recede\grant Senate a conference - Smith

BILLS IN CONFERENCE

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HCS SS SB 687, as amended, E.C. - Lumpe

HCS SCS SB 657 - Legan

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SIXTY-FIRST DAY, Tuesday, April 23, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"The spirit of the Lord Yahweh has been given to me, for Yahweh has anointed me, has sent me to bring good news to the poor, to bind up hearts that are broken; to proclaim liberty to captives, freedom to those in prison; to proclaim a year of favor from Yahweh, a day of vengeance for our God. (Is. 61: 1-2).

Gracious God: Today we ask for that spirit which Isaiah spoke of, a spirit that will help us to be peace-makers, to care for the hurts of the human family, to be instruments of your mercy. May we put ourselves in the shoes of the other before we make harsh judgments and be compassionate to their failings as we challenge them with love and receive correction from them in the same spirit.

I add a special prayer today for my friend of 24 years, Jack Plympton, our Reading Clerk for five years, upon his premature retirement for health reasons. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Karen Elliott, Kenneth Myers, Amanda Newell, Elizabeth Summers, Antoine West, Molly Bretch, La'Kenya Daniels, Justin Nolde, Kevin O'Brien, Jeffrey Griesemer, James Maddock, Joshua Goldkamp, Sarah Hagar, Amanda Hagar, Jessica McCracken, Krysta Fennewald, Drew Burbridge, Dustin Masters, Drew Stephen, John Farrell, Maggie Gardiner, Kristin Sydnor, Nicole Anderson, Robert Anderson, Aaron Leake, Sam Bloch, Jon Baker, Kelly Lavery, Letitia Johnson, Bethany Owens, Erin Owens, Melinda Stanley, Jeanon Mason, Norman Perkins, Sondra Wise, Becca Thomas, David Vailes, Cristin Smith and Emily Taylor.

The Journal of the sixtieth day was approved as corrected.

RESOLUTIONS

Representative Surface offered House Resolution No. 833, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution No. 834, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kissell, et al, offered House Resolution No. 835, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 836, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 837, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Klumb offered House Resolution No. 838, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF HOUSE BILLS

HB 1650 through **HB 1653** were read the second time.

THIRD READING OF HOUSE JOINT RESOLUTION

HJR 57, relating to bingo, was taken up by Representative Scheve.

On motion of Representative Scheve, **HJR 57** was read the third time and passed by the following vote:

AYES: 105

Auer	Backer	Barry 100	Bennett 15	Bland
Bonner	Boucher	Bray 84	Brown	Canuteson
Carter	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Farmer	Farnen
Fitzwater	Foley	Franklin	Garnett	Goward
Graham	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer	Hickey
Hoppe	Jacob	Kasten	Kauffman	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Levin	Liese	Lograsso	Long	Lumpe
May 108	Mays 50	McBride	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Ross	Scheve	Schilling	Schwab	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Smith
Stokan	Stoll	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Ward	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 050

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Burton	Champion	Childers
Chrismer	Elliott	Enz	Evans	Fiebelman
Foster	Gaskill	Gibbons	Gross	Hall
Hand	Hartzler 124	Hegeman	Hendrickson	Hohulin
Hosmer	Howerton	Keeven	Kelley 47	Klumb
Legan	Linton	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	McClelland	Robirds	Sallee
Scott	Secrest	Skaggs	Sombart	Steen
Summers	Surface	Wannenmacher	Whiteside	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42	Ford	Froelker	Morgan	Pryor
Ribaudo	Thompson 37			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL

HB 1380, relating to reimbursement allowance, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **HB 1380** was read the third time and passed by the following vote:

AYES: 147

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 008

Akin	Hall	Hartzler 124	Hohulin	Keeven
Kelley 47	Linton	Loudon		

PRESENT: 000

Sixty-first Day-Tuesday, April 23, 1996

ABSENT WITH LEAVE: 007

Daniel 42	Ford	Froelker	Morgan	Pryor
Ribaudo	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

BILL CARRYING REQUEST MESSAGE

HCS SB 676, relating to hospital operations, was taken up by Representative Smith.

Representative Smith moved that the House refuse to recede from its position on **HCS SB 676** and grant the Senate a conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL

HCS HBs 987, 1155, 1158 and 1219, relating to income tax, was taken up by Representative Jacob.

Representative Green offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, Pages 2 and 3, Section 143.124, lines 5 through 8 by deleting all of said lines and inserting in lieu thereof the words "**the amount of six thousand dollars for tax years beginning on or after January 1, 1997, to any**"; and

Further amend said substitute, Page 3, Section 143.124, line 31 by deleting the number "**1998**" and inserting in lieu thereof the number "**1997**"; and

Further amend said substitute, Page 3, Section 143.124, lines 33 through 38 by deleting all of said lines and inserting in lieu thereof the following: "**the first six thousand dollars of retirement benefits received from privately funded sources, if the following requirements are satisfied:**".

On motion of Representative Green, House Amendment No. 1 was adopted by the following vote:

Sixty-first Day-Tuesday, April 23, 1996

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Lakin	Leake	Legan	Levin
Linton	Lograsso	Long	Loudon	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 011

Daniel 42	Ford	Froelker	Kreider	Liese
Luetkenhaus	Morgan	O'Neill	Pryor	Ribaudo

Ward

VACANCY: 001

Representative Montgomery offered House Amendment No. 2.

House Amendment No. 2

Amend House Committee Substitute for House Bill Nos. 987, 1155, 1158 and 1219, Page 1, Section A, Line 3 by inserting after said line the following:

135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in [section 22(e) of the Internal Revenue Code of 1986, as amended] **in subsection 2 of this section**, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for the property tax credit;

[(2)] **(3)** "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

(3) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

(4) "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

(5) "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property

taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

(6) "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year." and

Further amend said substitute by amending the title and enacting clause accordingly.

Representative Jacob raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Montgomery, House Amendment No. 2 was adopted by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Legan	Levin	Linton	Lograsso
Long	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stoll	Summers	Surface
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 003

Davis	Jacob	Lumpe

ABSENT WITH LEAVE: 015

Daniel 42	Ford	Froelker	Hickey	Leake
Liese	Loudon	Morgan	O'Toole	Pryor
Ribaudo	Stokan	Tate	Thompson 37	Ward

VACANCY: 001

Representative Mitchell offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, Page 1, In the Title, Line 2, by deleting the word and figure "and 143.161" and inserting in lieu thereof the following: ", 143.161 and 143.191"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the following: "five"; and

Further amend said bill, Page 1, Section A, Lines 1 through 3, by deleting all of said lines and inserting in lieu

thereof the following:

"Section A. Sections 135.030, 143.124, 143.161 and 143.191, RSMo 1994, are repealed and five new sections enacted in lieu thereof, to be known as sections 135.030, 143.124, 143.161, 143.191 and 1, to read as follows:"; and

Further amend said bill, Page 2, Section 143.124, Line 2, by inserting after the word "allowances" the following: "**not described in section 1 of this act and**"; and

Further amend said bill, Page 4, Section 143.161, Line 7, by inserting after all of said line the following:

"143.191. 1. Every employer maintaining an office or transacting any business within this state and making payment of any wages taxable [under] **pursuant to** sections 143.011 to 143.998 to a resident or nonresident individual shall deduct and withhold from such wages for each payroll period the amount provided in subsection 3 of this section.

2. The term "wages" referred to in subsection 1 of this section means wages as defined by section 3401(a) of the Internal Revenue Code of 1986, as amended. The term "employer" means any person, firm, corporation, association, fiduciary of any kind, or other type of organization for whom an individual performs service as an employee, except that if the person or organization for whom the individual performs service does not have control of the payment of compensation for such service, the term "employer" means the person having control of the payment of the compensation. The term includes the United States, this state, other states, and all agencies, instrumentalities, and subdivisions of any of them.

3. The method of determining the amount to be withheld shall be prescribed by regulations of the director of revenue. The prescribed table, percentages, or other method shall result, so far as practicable, in withholding from the employee's wages during each calendar year an amount substantially equivalent to the tax reasonably estimated to be due from the employee [under] **pursuant to** sections 143.011 to 143.998 with respect to the amount of such wages included in [his] **the employee's** Missouri adjusted gross income during the calendar year.

4. For purposes of this section an employee shall be entitled to the same number of personal and dependency withholding exemptions as the number of exemptions to which [he] **the employee** is entitled for federal income tax withholding purposes. An employer may rely upon the number of federal withholding exemptions claimed by the employee, except where the employee provides the employer with a form claiming a different number of withholding exemptions in this state.

5. The director of revenue may enter into agreements with the tax departments of other states**,** [(]which require income tax to be withheld from the payment of wages[)]**,** so as to govern the amounts to be withheld from the wages of residents of such states [under] **pursuant to** this section. Such agreements may provide for recognition of anticipated tax credits in determining the amounts to be withheld and, [under] **pursuant to** regulations prescribed by the director of revenue, may relieve employers in this state from withholding income tax on wages paid to nonresident employees. The agreements authorized by this subsection are subject to the condition that the tax department of such other states grant similar treatment to residents of this state.

6. The director of revenue shall enter into agreements with the Secretary of the Treasury of the United States or with the appropriate secretaries of the respective branches of the [armed forces] **uniformed services** of the United States for the withholding, as required by subsections 1 and 2 of this section, of income taxes due the state of Missouri on wages or other payments for service in the [armed] **uniformed** services of the United States or on payments received as [retirement or] retainer pay of any member or former member of the [armed forces] **uniformed services** entitled to such pay.

7. Subject to appropriations for the purpose of implementing this section, the director of revenue shall comply with provisions of the laws of the United States as amended and the regulations promulgated thereto in order that all residents of this state receiving monthly retirement income as a civil service annuitant from the federal government taxable by this state may have withheld monthly from any such moneys, whether pension, annuities or otherwise, an amount for payment of state income taxes as required by state law, but such withholding shall not be less than twenty-five dollars per quarter.

Section 1. The total amount of any annuities, pensions, retirement allowances and other retirement benefits provided by any law of the United States to any person for service in the uniformed services of the United States shall not be subject to the tax provided pursuant to chapter 143, RSMo.".

Representative Jacob raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Mitchell moved that House Amendment No. 3 be adopted.

Which motion was defeated.

HCS HBs 987, 1155, 1158 and 1219, as amended, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Auer.

RESOLUTIONS

Representative Stoll offered House Resolution No. 839, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution No. 841, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham offered House Resolution No. 842, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 843, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cooper offered House Resolution No. 844, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1557 & 1489**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HCS HBs 987, 1155, 1158 and 1219, **as amended,** relating to income tax, was again taken up by Representative Jacob.

Representative Barry offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for House Bills Nos. 987, 1155, 1158 & 1219, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "three" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word and number "and 143.161" and inserting in lieu thereof the following: ", 143.161, 1 and 2"; and

Further amend said bill, Page 4, Section 143.161, Line 7, by inserting after all of said line the following:

"**Section 1. 1. As used in this section, the following terms shall mean:**

(1) "Shelter for victims of domestic violence", a facility located in this state which meets the definition of a shelter for victims of domestic violence under section 455.200, RSMo, and which meets the requirements of section 455.220, RSMo;

(2) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143, RSMo;

(3) "Taxpayer", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a shelter for victims of domestic violence.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that can not be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. A taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a shelter or shelters for victims of domestic violence in such taxpayer's taxable year is at least one hundred dollars.

5. The director of revenue shall determine, at least annually, which facilities in this state may be classified as shelters for victims of domestic violence. The director of revenue may require of a facility seeking to be classified as a shelter for victims of domestic violence whatever information is reasonably necessary to make such a determination. The director of revenue shall classify a facility as a shelter for victims of domestic violence if such facility meets the definition set forth in subsection 1 of this section.

6. The director of revenue shall establish a procedure by which a taxpayer can determine if a facility has been classified as a shelter for victims of domestic violence, and by which such taxpayer can then contribute to such shelter for victims of domestic violence and claim a tax credit. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to shelters for victims of domestic violence in any one fiscal year shall not exceed two million dollars.

7. The director of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of revenue, the cumulative amount of tax credits are equally apportioned among all facilities classified as shelters for victims of domestic violence. If a shelter for victims of domestic violence fails to use all, or some percentage to be determined by the director of revenue, of its apportioned tax credits during this predetermined period of time, the director of revenue may reapportion these unused tax credits to those shelters for victims of domestic violence that have used all, or some percentage to be determined by the director of revenue, of their apportioned tax credits during this predetermined period of time. The director of revenue may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of revenue shall establish the procedures described herein in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. The director of revenue shall promulgate such rules as are necessary to achieve the purposes of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

Section 2. 1. As used in this section, the following terms shall mean:

(1) "Maternity home", a residential facility located in this state established for the purpose of providing housing and assistance to pregnant women who are carrying their pregnancies to term, and which is exempt from income taxation under the United States Internal Revenue Code;

(2) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143, RSMo, chapter 147, RSMo, chapter 148, RSMo, and chapter 153, RSMo, exclusive of the provisions relating to the withholding of tax as provided for in sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143, RSMo;

(3) "Taxpayer", person, firm, a partner in a firm, corporation or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an insurance company paying an annual tax on its gross premium receipts in this state, or other financial institution paying taxes to the state of Missouri or any political subdivision of this state under the provisions of chapter 148, RSMo, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. A taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability, in an amount equal to fifty percent of the amount such taxpayer contributed to a maternity home.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and such taxpayer shall not be allowed to claim a tax credit in excess of fifty thousand dollars per taxable year. However, any tax credit that can not be claimed in the taxable year the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed.

4. A taxpayer shall not be allowed to claim a tax credit unless the total amount of such taxpayer's contribution or contributions to a maternity home or homes in such taxpayer's taxable year is at least one hundred dollars.

5. The director of revenue shall determine, at least annually, which facilities in this state may be classified as

maternity homes. The director of revenue may require of a facility seeking to be classified as a maternity home whatever information is reasonably necessary to make such a determination. The director of revenue shall classify a facility as a maternity home if such facility meets the definition set forth in subsection 1 of this section.

6. The director of revenue shall establish a procedure by which a taxpayer can determine if a facility has been classified as a maternity home, and by which such taxpayer can then contribute to such maternity home and claim a tax credit. The cumulative amount of tax credits which may be claimed by all the taxpayers contributing to maternity homes in any one fiscal year shall not exceed two million dollars.

7. The director of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director of revenue, the cumulative amount of tax credits are equally apportioned among all facilities classified as maternity homes. If a maternity home fails to use all, or some percentage to be determined by the director of revenue, of its apportioned tax credits during this predetermined period of time, the director of revenue may reapportion these unused tax credits to those maternity homes that have used all, or some percentage to be determined by the director of revenue, of their apportioned tax credits during this predetermined period of time. The director of revenue may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director of revenue shall establish the procedures described herein in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

8. The director of revenue shall promulgate such rules as are necessary to achieve the purposes of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

Representative Jacob raised a point of order that House Amendment No. 4 goes beyond the scope of the bill.

Representative Auer requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Barry, House Amendment No. 4 was adopted.

Representative Gratz offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, page 1, section In the Title, line 2, by inserting immediately after the first comma "," the following:

"143.111,"; and,

Further amend said bill page 1, in the title, line 3, by deleting the word "three" and inserting in lieu thereof the word "five"; and,

Further amend said bill, page 1, Section A, line 1, by inserting immediately after the first comma "," the following: "143.111,"; and,

Further amend said bill, page 1, Section A, line 1, by deleting the word "three" and inserting in lieu thereof the word "five"; and,

Further amend said bill, page 1, Section A, line 2, by inserting immediately after the second comma "," the following: "143.111, 143.122,"; and,

Further amend said bill, page 2, Section 135.030, line 41, by inserting immediately at the end of said line the following:

"143.111. The Missouri taxable income of a resident shall be his Missouri adjusted gross income less:

(1) either [:] the Missouri standard deduction or the Missouri itemized deduction [,];

(2) the Missouri deduction for personal exemptions [,];

(3) the Missouri deduction for dependency exemptions [,]];

(4) the deduction for federal income taxes provided in section 143.171[,]; **and**

(5) the deduction for tuition or attendance fees provided in section 143.122.

143.122. In addition to the amounts to be subtracted from his federal adjusted gross income to determine his Missouri adjusted gross income under the provisions of section 143.121, there shall be subtracted the amount the taxpayer has paid to others for each dependent in grades nine through twelve, for tuition or attendance fees for or on behalf of each dependent in attending a secondary school situated in Missouri, up to a maximum of two thousand five hundred dollars for each dependent."

On motion of Representative Gratz, House Amendment No. 5 was adopted.

Representative Gunn offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, page 4, section 143.161, line 7, by inserting after said line the following:

"**Section 1. For purposes of section 143.183, RSMo, the tax on compensation of a nonresident entertainer must be withheld at a rate of six percent of all compensation paid to the nonresident entertainer by the person, corporation or any other entity having legal control of the payment of the compensation. The payor is liable to the state of Missouri for the payment of the tax required to be deducted and withheld. The compensation subject to withholding under this section shall be subject to the provisions of sections 143.191 to 143.265, RSMo.**"; and

Further amend said bill by amending the title and enacting clause.

Representative Jacob raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

Representative Auer requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Gunn, House Amendment No. 6 was adopted by the following vote:

AYES: 138

Akin	Alter	Auer	Backer	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Farmer
Farnen	Fiebelman	Fitzwater	Foster	Garnett
Gaskill	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Heckemeyer	Hendrickson
Hickey	Hosmer	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Kreider	Lakin
Leake	Levin	Liese	Linton	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 015

Ballard	Cierpiot	Evans	Franklin	Gibbons
Hartzler 124	Hegeman	Hohulin	Howerton	Koller
Legan	Lograsso	Loudon	Richardson	Summers

PRESENT: 001

Jacob

ABSENT WITH LEAVE: 008

Enz	Foley	Ford	Froelker	Hoppe
Klumb	Ribaudo	Ward		

VACANCY: 001

Representative Scheve offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, Page 4, Section 143.161, Line 7 by inserting after said line the following:

"143.171. 1. For all tax years beginning before January 1, 1994, for an individual taxpayer and for all tax years beginning before September 1, 1993, for a corporate taxpayer, the taxpayer shall be allowed a deduction for his federal income tax liability under chapter 1 of the Internal Revenue Code**, as amended,** for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code**, as amended,** by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

2. For all tax years beginning on or after January 1, 1994, an individual taxpayer shall be allowed a deduction for his federal income tax liability under chapter 1 of the Internal Revenue Code**, as amended,** for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code**, as amended**, by section 31 (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels, and lubricating oils).

3. For all tax years beginning on or after September 1, 1993, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under chapter 1 of the Internal Revenue Code, **as amended**, for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by section 31, **as amended** (tax withheld on wages), section 27 (tax of foreign country and United States possessions), and section 34 (tax on certain uses of gasoline, special fuels and lubricating oils).

4. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued, he may deduct the federal tax in the later year to the extent it would have been deductible if paid or accrued in the prior year."; and

Further amend the title and enacting clause accordingly.

The Speaker resumed the Chair.

Representative Thomason (163) offered House Amendment No. 1 to House Amendment No. 7.

House Amendment No. 1 to House Amendment No. 7 was withdrawn.

Representative Thomason (163) offered House Amendment No. 1 to House Amendment No. 7.

House Amendment No. 1 to House Amendment No. 7 was withdrawn.

Representative Thomason (163) offered House Amendment No. 1 to House Amendment No. 7.

House Amendment No. 1

to

House Amendment No. 7

AMEND House Amendment No. 7 to House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, page 1, Section 143.171, by deleting on line 3, the word "his" and inserting in its place the words "the taxpayer"; and

Further amend said amendment by deleting, on line 28 the word "he" and inserting in its place the words "the taxpayer"; and

Further amend said amendment by deleting on line 29, the word "he" and inserting in its place the words "the taxpayer"; and

Further amend said amendment by deleting, on line 10, the word "his" and inserting in its place the words "the taxpayer"

On motion of Representative Thomason (163), House Amendment No. 1 to House Amendment No. 7 was adopted.

House Amendment No. 7, as amended, was withdrawn.

Representative Evans offered House Amendment No. 7.

Representative Jacob raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Naeger offered House Amendment No. 7.

Representative Jacob raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Gibbons offered House Amendment No. 7.

Representative Jacob raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Murphy offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, page 4, section 143.161, line 7, by inserting said line the following:

"**Section 1. Any resident taxpayer with adjusted gross income of sixteen thousand dollars or less shall not be required to pay state income tax as levied under chapter 143. RSMo. Nothing in this section shall exempt the requirements as provided in section 143.191, RSMo, or exempt the taxpayer for filing a return as required by Chapter 143, RSMo.**"; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Murphy, House Amendment No. 7 was adopted.

Representative Akin offered House Amendment No. 8.

Representative Jacob raised a point of order that House Amendment No. 8 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS HBs 987, 1155, 1158 and 1219, as amended, was laid over.

HOUSE RESOLUTION

Representative Backer offered House Resolution No. 840.

HOUSE RESOLUTION NO. 840

BE IT RESOLVED, that the following be elected a permanent officer of the House of Representatives of the Eighty-eighth General Assembly by acclamation, effective upon the resignation of the current Chief Clerk.

Chief Clerk .....Anne Walker

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 840 was adopted.

PERFECTION OF HOUSE BILL

HCS HBs 1199, 1357 and 1393, **with House Substitute Amendment No. 1 for House Amendment No. 2, House Amendment No. 2, and HS, as amended, pending**, relating to law enforcement powers, was again taken up by Representative Reynolds.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 and 1393, page 3, section 70.820, line 20 of such page, by inserting after the word "**section,**" the following: "**section 544.216 and any other arrest powers**"; and

Further amend said bill, page 3, section 70.820, lines 21 to 22 of said page by deleting all of said lines and inserting in lieu thereof the following: "**officer standards and training commission may arrest on view or immediately thereafter for any crime and without a warrant, at any place within this state, any person the peace officer sees asserting physical force or using forcible compulsion of the purpose of causing or creating a substantial risk of death or serious physical injury to any person.**"; and

Further amend said bill, page 4, section 70.820, lines 1 to 2 of said page, by deleting all of said lines.

Representative Smith offered House Substitute Amendment No. 1 for House Substitute Amendment No. 1 for House Amendment No. 2.

Representative Hosmer raised a point of order that House Substitute Amendment No. 1 for House Substitute Amendment No. 1 for House Amendment No. 2 is out of order.

The Chair ruled the point of order well taken.

On motion of Representative Hosmer, House Substitute Amendment No. 1 for House Amendment No. 2 was adopted by the following vote:

AYES: 124

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Donovan	Dougherty	Elliott
Enz	Farnen	Fiebelman	Fitzwater	Foster
Franklin	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell 124	Hall	Hand	Hartzler 123	Hartzler
Heckemeyer	Hendrickson	Hohulin	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Kelley 47	Kissell
Kreider	Lakin	Leake	Levin	Liese
Linton 26	Long	Luetkenhaus	Marble	Marshall
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell 135	Montgomery	Murphy	Murray 69	Murray
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Overschmidt	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Rizzo	Robirds	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Troupe	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 026

Chrismer	Cierpiot	Days	Edwards-Pavia	Evans
Farmer	Gunn	Harlan	Hegeman	Howerton
Keeven	Kelly 27	Koller	Legan	Lograsso
Loudon	Lumpe	Marshall 133	Morgan	O'Neill
Ridgeway	Ross	Shelton 57	Smith	Treadway

Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Daniel 42	Foley	Ford	Froelker
Hickey	Klumb	Ostmann	Pauley	Ribaudo
Thompson 37	Ward			

VACANCY: 001

Representative Kissell offered House Amendment No. 3.

Representative Lograsso raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Clayton offered House Amendment No. 3.

House Amendment No. 3 was withdrawn.

HCS HBs 1199, 1357 and 1393, with HS, as amended, pending, was laid over.

MOTION

Representative Dougherty, having voted on the prevailing side, moved that the vote by which **HB 782** was defeated on third reading, be reconsidered.

Which motion was adopted by the following vote:

AYES: 091

Akin	Auer	Backer	Barnett 4	Barry 100
Bennett 15	Boucher	Bray 84	Brown	Burton
Canuteson	Carter	Childers	Chrismer	Clayton
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Enz	Farmer
Farnen	Foley	Franklin	Gibbons	Goward
Graham	Gratz	Green	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hendrickson
Hickey	Hoppe	Hosmer	Jacob	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Kreider
Lakin	Leake	Levin	Liese	Luetkenhaus
Lumpe	May 108	Mays 50	McLuckie	Morgan
Murphy	Murray 69	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Reynolds	Rizzo	Ross
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Surface	Tate	Thompson 37	Troupe	Van Zandt
Whiteside	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 061

Alter	Ballard	Bartelsmeyer	Boatright	Bonner
Broach	Champion	Cierpiot	Cooper	Edwards-Pavia
Elliott	Evans	Fiebelman	Fitzwater	Foster
Garnett	Gaskill	Griesheimer	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hohulin	Howerton	Kasten
Legan	Linton	Lograsso	Long	Loudon
Marble	Marshall 26	Marshall 133	McBride	McClelland
Mitchell	Montgomery	Murray 135	Naeger	Nordwald
Oetting	Pouche	Pryor	Relford	Richardson
Ridgeway	Robirds	Sallee	Schwab	Scott
Secrest	Shields	Sombart	Steen	Summers
Thomason 163	Treadway	Vogel	Wannenmacher	Wieland

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Crump 152	Ford	Froelker	Klumb
Koller	Pauley	Prost	Ribaudo	Ward

VACANCY: 001

HB 782 was placed on the Third Reading Informal Calendar.

PERFECTION OF HOUSE BILL

HCS HBs 1199, 1357 and 1393, **with HS, as amended, pending**, relating to law enforcement powers, was again taken up by Representative Reynolds.

Representative Hohulin offered House Amendment No. 3.

Representative Reynolds raised a point of order that House Amendment No. 3 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Gaskill offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 & 1393, Page 1, In The Title, Line 3 of said title, by deleting "section 544.157" and inserting in lieu thereof the following: "sections 544.157 and 590.123"; and

Further amend said bill, Page 1, In The Title, Line 6 of said title, by deleting the word "four" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting "section 544.157" and inserting in lieu thereof the following: "sections 544.157 and 590.123"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting the word "four" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 4 of said page, by deleting "544.159 and 544.170" and inserting in lieu thereof the following: "544.159, 544.170, 590.123 and 590.124"; and

Further amend said bill, Page 10, Section 544.170, Line 4 of said page, by inserting after all of said line the following:

"590.123. 1. The peace officers standards and training commission may promulgate rules and regulations to effectuate the purposes of this chapter. No rule or portion of a rule promulgated under the authority of this section shall become effective [until it has been approved by the joint committee on administrative rules in accordance with the procedures provided in this section, and the delegation of the legislative authority to enact law by the adoption of such rules is dependent upon the power of the joint committee on administrative rules to review and suspend rules pending ratification by the senate and the house of representatives as provided in this section.

2. Upon filing any proposed rule with the secretary of state, the commission shall concurrently submit such proposed rule to the committee which may hold hearings upon any proposed rule or portion thereof at any time.

3. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period. If the committee does not disapprove such order of rulemaking within the thirty- day period, the commission may file such order of rulemaking with the secretary of state and the order of rulemaking shall be deemed approved.

4. The committee may, by majority vote of the members, suspend the order of rulemaking or portion thereof by action taken prior to the filing of the final order of rulemaking only for one or more of the following grounds:

(1) An absence of statutory authority for the proposed rule;

(2) An emergency relating to public health, safety or welfare;

(3) The proposed rule is in conflict with state law;

(4) A substantial change in circumstance since enactment of the law upon which the proposed rule is based;

(5) That the rule is arbitrary and capricious.

5. If the committee disapproves any rule or portion thereof, the commission shall not file such disapproved portion of any rule with the secretary of state and the secretary of state shall not publish in the Missouri Register any final order of rulemaking containing the disapproved portion.

6. If the committee disapproves any rule or portion thereof, the committee shall report its findings to the senate and the house of representatives. No rule or portion thereof disapproved by the committee shall take effect so long as the senate and the house of representatives ratify the act of the joint committee by resolution adopted in each house within thirty legislative days after such rule or portion thereof has been disapproved by the joint committee.

7. Upon adoption of a rule as provided in this section, any such rule or portion thereof may be suspended or revoked by the general assembly either by bill or, pursuant to section 8, article IV of the Constitution of Missouri, by concurrent resolution upon recommendation of the joint committee on administrative rules. The committee shall be authorized to hold hearings and make recommendations pursuant to the provisions of section 536.037, RSMo. The secretary of state shall publish in the Missouri Register, as soon as practicable, notice of the suspension or revocation.] **unless it has been promulgated pursuant to the provisions of section 536.024.**

590.124. The director shall provide for reciprocity on an hour-to-hour basis for any peace officer trained outside this state except that no peace officer shall receive credit for training in the laws of any jurisdiction outside of the state of Missouri. Any peace officer certified pursuant to this chapter, shall, as a part of the training required by this chapter, be trained in Missouri law.".

On motion of Representative Gaskill, House Amendment No. 3 was adopted.

Representative Lograsso offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1199, 1357 and 1393, page 9, section 544.170, line 13, by deleting the words "thirty-six" and inserting in lieu thereof the word "thirty"

Speaker Pro Tem Daniels assumed the Chair.

Representative Hartzler (123) offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1 for House Amendment No. 4 was withdrawn.

On motion of Representative Lograsso, House Amendment No. 4 was adopted.

The Speaker resumed the Chair.

Representative Pryor offered House Amendment No. 5.

Representative Reynolds raised a point of order that House Amendment No. 5 is out of order.

The Chair ruled the point of order well taken.

On motion of Representative Reynolds, **HS HCS HBs 1199, 1357 and 1393, as amended,** was adopted.

On motion of Representative Reynolds, **HS HCS HBs 1199, 1357 and 1393, as amended,** was ordered perfected and printed.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SB 484, SB 497, SB 501, SB 522, SB 532, SB 582, SB 605, SB 665, SB 720, SB 721, SCS SB 806, SB 818, SB 826, HCS SB 870, SB 874, SCS SB 896, SCS SB 916 and SB 945,** were read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

CONFERENCE COMMITTEE REPORT NO. 2 FOR HOUSE COMMITTEE SUBSTITUTE FOR SENATE SUBSTITUTE FOR SENATE BILL NO. 687

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Substitute for Senate Bill No. 687, as amended; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 687, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 687;

3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Substitute for Senate Bill No. 687, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Wayne Goode
/s/ Rita Days	/s/ David Klarich
Tim Green	/s/ Mike Lybyer
/s/ Pat Secrest	/s/ Betty Sims
/s/ Emmy McClelland	John Schneider

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 676**: Senators Quick, DePasco, Caskey, Singleton and Treppler.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **CCR #2 HCS SS SB 687, as amended** and has taken up and passed **CCS #2 HCS SS SB 687**.

Emergency clause defeated.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #2 SCS SB 838**, entitled:

An act to repeal sections 407.815, 407.825 and 407.835, RSMo 1994, relating to motor vehicle franchise practices and to enact in lieu thereof eight new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 676: Representatives Smith, Sears (1), Crum (112), Ross and Pouche

RE-REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was re-referred to the Committee indicated:

SCR 26 - Agriculture

COMMITTEE REPORTS

Committee on Agriculture, Chairmen Leake and Wiggins reporting:

Mr. Speaker: Your Committee on Agriculture, to which was referred **SB 492**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Agriculture, to which was referred **SS SB 521**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Substitute for Senate Bill No. 521, page 1, In the Title, Line 4, by inserting immediately after the word "subject" the following:

"with an emergency clause"; and

Further amend said bill, page 3, Section 274.310, Line 16, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to protect the public welfare this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.".

Committee on Banks and Financial Institutions, Chairman Copeland reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 683**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 898**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SCS SB 533, 512 & 581**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SCS SB 763 & 545**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 769**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SCS SB 640**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 640, page 1, In the Title, lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 144.805, RSMo 1994, relating to sales and use tax, and to enact in lieu thereof one new section relating to the"; and

Further amend said bill, Page 1, Section A, Lines 1 through 3, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 144.805, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 144.805, to read as follows:"; and

Further amend said bill, Pages 1, 2 and 3, Section 144.748, Lines 1 through 79, by deleting all of said section 144.748; and

Further amend said bill, Page 4, Section 144.805, Line 37, by inserting immediately after said line the following:

"Section B. One new section is enacted, to be known as section 144.809, to read as follows:

144.809. In addition to the exemptions granted pursuant to the provisions of section 144.030, there is hereby specifically exempted from the provisions of, and the computation of the tax levied, assessed or payable under, any state or local sales or use tax, or any increase in any state or local sales or use tax rate, which tax or increase was not in effect on December 30, 1987, the sale, storage, use or consumption of aviation jet fuel at or upon airports within the state of Missouri, which airports are recipients of federal grant funds, have submitted applications for or have been approved for federal grant funds, or which are otherwise eligible to apply for federal grant funds."

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **SB 589**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **SCS SB 613 & 714**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SS SCS SB 795, 542 & 563**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Education - Higher, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **SB 506**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Energy and Environment, Chairman Garnett reporting:

Mr. Speaker: Your Committee on Energy and Environment, to which was referred **SB 854**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Federal State Relations and Veterans Affairs, Chairman Montgomery reporting:

Mr. Speaker: Your Committee on Federal State Relations and Veterans Affairs, to which was referred **SCR 24**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Federal State Relations and Veterans Affairs, to which was referred **SCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Federal State Relations and Veterans Affairs, to which was referred **SCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Governmental Organization and Review, Chairman Goward reporting:

Mr. Speaker: Your Committee on Governmental Organization and Review, to which was referred **SB 876**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 876, Page 1, In the Title, Lines 2 and 3, by deleting all of said lines and inserting in lieu thereof the following:

"To repeal section 207.125, RSMo 1994, relating to certain boards and commissions, and to enact in lieu thereof two new sections relating to the same subject, with a termination date for a certain section and with an

emergency clause."; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Section 207.125, RSMo 1994, is repealed and two new sections enacted in lieu thereof, to be known as sections 26.301 and 207.125, to read as follows:"; and

Further amend said bill, Page 1, Section 26.301, Line 9, by adding after all of said line the following:

"207.125. 1. The general assembly shall establish in the division of family services, the "Missouri Family Services Advisory Council" which shall consist of fifteen citizens to be appointed as follows:

(1) Five members, two of whom shall be members of the house of representatives each of whom shall be a member of a different political party, appointed by the governor from a list submitted by the speaker of the house of representatives;

(2) Five members, two of whom shall be members of the senate each of whom shall be a member of a different political party, appointed by the governor from a list submitted by the president pro tempore of the senate;

(3) Five members appointed by the governor who either participate in, or represent persons who participate in, any of the division of family services' programs.

2. The council shall organize by electing one member as chairperson and another as vice chairperson. The council shall meet no fewer than four times per calendar year in Jefferson City, at the call of the chairman, in facilities made available by the division of family services. The council members shall [receive no compensation and no per diem expenses] **be reimbursed for their reasonable and necessary expenses incurred in the performance of their duties**.

3. The council shall advise and counsel the division of family services on the rules, regulations and policy issues of the division and their effect on families. In addition, the council shall oversee the implementation and assess the success or failure of pilot projects which are chosen by the director of the division of family services for review by the council. The council shall report to the governor, the speaker of the house of representatives and the president pro tempore of the senate the results of the council's study of each pilot project reviewed by the council. Such report shall include the council's recommendation as to whether the pilot project should be expanded.

4. The council shall also serve in an ombudsman capacity by hearing complaints of citizens affected by the decisions and actions of the division regarding out-of-home placements of children in the custody of the division of family services and in-home services provided by the division of family services to families and children resulting from reports of child abuse and neglect which are received by the division. The council shall hire two employees to act as an ombudsman and secretary, whose salaries shall be paid from state appropriations made for that purpose from the division of family services budget. The ombudsman and secretary shall report to the advisory council quarterly on the number and nature of complaints and the manner in which they were resolved. The advisory council shall report annually, by January fifteenth, to the director of the division of family services and the children's services commission regarding the number, the nature and the disposition of complaints referred to the ombudsman.

5. The provisions of this section shall expire July 1, 1998.

Section B. Because immediate action is necessary to ensure the orderly operation of certain boards and commissions, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall be in full force and effect upon its passage and approval.".

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SB 664**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SS SCS SB 494**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 578**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Labor, Chairman Hickey reporting:

Mr. Speaker: Your Committee on Labor, to which was referred **SB 565**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 933**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SB 499**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SS SB 560**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SCS SB 642 & 819**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **SB 703**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **SB 858**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Retirement, Chairman Hagan-Harrell reporting:

Mr. Speaker: Your Committee on Retirement, to which was referred **SCS #2 SB 860**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SJR 32**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 715**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 782**, begs leave to report it has examined the same and recommends that it **Do Pass with House Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 782, page 2, section 185.100, line 22, by inserting immediately after said line, the following:

"186.055. There is hereby established a special trust fund, to be known as the "Missouri Humanities Council Trust Fund", which shall consist of all moneys transferred to the fund by the board of trustees established in this section, moneys transferred to the fund pursuant to section 186.060, and any earnings resulting from the investment of moneys in the fund. The fund shall be administered by a board of trustees, consisting of the state treasurer, two members of the senate appointed by the president pro tem of the senate, two members of the house of representatives appointed by the speaker of the house and four members of the Missouri humanities council executive committee appointed by the chair of the council. Any member appointed due to such person's membership in the senate, house of representatives or humanities council shall serve only as long as such person holds the office referenced in this section. The state treasurer shall invest moneys in the fund in a manner as provided by law. Subject to appropriations, moneys in the fund shall be used solely for the promotion of the humanities in Missouri and for the administrative costs of the Missouri humanities council. **The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in the Missouri humanities council trust fund shall not be transferred and placed to the credit of the general revenue fund.**"; and

Further amend the title and enacting clause accordingly

Committee on Transportation, Chairman Koller reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 780**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Workers Compensation and Employment Security, Chairman O'Neill reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security, to which was referred **SB 783**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 783, Page 1, In the Title, Line 2, by inserting after the words "repeal sections" the following: "288.050, 288.070, 288.100, 288.110, 288.113, 288.130, 288.140, 288.160, 288.190, 288.200,"; and

Further amend said bill, Page 1, In the Title, Line 2, by inserting after the words "and sections" the following: "288.030, 288.032, 288.036, 288.114,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "unemployment compensation funds" and inserting in lieu thereof the following: "streamlining of employment security programs"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "four" and inserting in lieu thereof the following: "seventeen"; and

Further amend said bill, Page 1, In the Title, Line 5, by inserting after the word "subject" the following: ", with an effective date for a certain section"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the following: "288.050, 288.070, 288.100, 288.110, 288.113, 288.130, 288.140, 288.160, 288.190, 288.200,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the word "sections" the following: "288.030, 288.032, 288.036, 288.114,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "four" and inserting in lieu thereof the following: "seventeen"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the words "as sections" the following: "288.030, 288.032, 288.036, 288.050, 288.070, 288.100, 288.110, 288.113, 288.130, 288.140, 288.160, 288.190, 288.200,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

"288.030. 1. As used in this chapter, unless the context clearly requires otherwise:

(1) "Appeals tribunal" means a referee or a body consisting of three referees appointed to conduct hearings and make decisions on appeals from administrative determinations, petitions for reassessment, and claims referred pursuant to subsection 2 of section 288.070;

(2) "Base period" means the first four of the last five completed calendar quarters immediately preceding the first day of an individual's benefit year;

(3) "Benefit year" means the one-year period beginning with the first day of the first week with respect to which an insured worker first files an initial claim for determination of [his] **such worker's** insured status, and thereafter the one-year period beginning with the first day of the first week with respect to which the individual, providing [he] **the individual** is then an insured worker, next files such an initial claim after the end of [his] **the individual's** last preceding benefit year;

(4) "Benefits" means the money payments payable to an insured worker, as provided in this chapter, with respect to [his] **such insured worker's** unemployment;

(5) "Calendar quarter" means the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth, or December thirty-first;

(6) "Claimant" means an individual who has filed an initial claim for determination of [his] **such individual's** status as an insured worker, a notice of unemployment, a certification for waiting week credit, or a claim for benefits;

(7) "Commission" means the labor and industrial relations commission of Missouri;

(8) "Common paymaster" means two or more related corporations in which one of the corporations has been designated to disburse remuneration to concurrently employed individuals of any of the related corporations;

(9) "Contributions" means the money payments to the unemployment compensation fund required by this chapter, exclusive of interest and penalties;

(10) "Decision" means a ruling made by an appeals tribunal or the commission after a hearing;

(11) "Deputy" means a representative of the division designated to make investigations and administrative determinations on claims or matters of employer liability or to perform related work;

(12) "Determination" means any administrative ruling made by the division without a hearing;

(13) "Director" means the administrative head of the division of employment security;

(14) "Division" means the division of employment security which administers this chapter;

(15) "Employing unit" means any individual, organization, partnership, corporation, common paymaster, or other legal entity, including the legal representatives thereof, which has or, subsequent to June 17, 1937, had in its employ one or more individuals performing services for it within this state. All individuals performing services within this state for any employing unit which maintains two or more separate establishments within this state shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Each individual engaged to perform or to assist in performing the work of any person in the service of an employing unit shall be deemed to be engaged by such employing unit for all the purposes of this chapter, whether such individual was engaged or paid directly by such employing unit or by such person, provided the employing unit had actual or constructive knowledge of the work;

(16) "Employment office" means a free public employment office operated by this or any other state as a part of a state controlled system of public employment offices **including any location designated by the state as being a part of the one-stop career system**;

(17) "Equipment" means a motor vehicle, straight truck, tractor, semi-trailer, full trailer, any combination of these and any other type of equipment used by authorized carriers in the transportation of property for hire;

(18) "Fund" means the unemployment compensation fund established by this chapter;

(19) "Governmental entity" means the state, any political subdivision thereof, any

instrumentality of any one or more of the foregoing which is wholly owned by this state and one or more other states or political subdivisions and any instrumentality of this state or any political subdivision thereof and one or more other states or political subdivisions;

(20) "Initial claim" means [a written] **an** application, in a form prescribed by the division, made by an individual for the determination of [his] **the individual's** status as an insured worker;

(21) "Insured work" means employment in the service of an employer;

(22) As to initial claims filed after December 31, 1990, "insured worker" means a worker who has been paid wages for insured work in the amount of one thousand dollars or more in at least one calendar quarter of [his] **such worker's** base period and total wages in [his] **the worker's** base period equal to at least one and one-half times the insured wages in that calendar quarter of the base period in which the worker's insured wages were the highest, or in the alternative, a worker who has been paid wages in at least two calendar quarters of [his] **such worker's** base period and whose total base period wages are at least one and one-half times the maximum taxable wage base, taxable to any one employer, in accordance with subdivision (1) of section 288.036. For the purposes of this definition, "wages" shall be considered as wage credits with respect to any benefit year, only if such benefit year begins subsequent to the date on which the employing unit by which such wages were paid has become an employer;

(23) "Lessor", in a lease, means the party granting the use of equipment, with or without a driver to another;

(24) "Referee" means a representative of the division designated to serve on an appeals tribunal;

(25) "State" includes, in addition to the states of the United States of America, the District of Columbia, Puerto Rico, the Virgin Islands, and the Dominion of Canada;

(26) (a) An individual shall be deemed "totally unemployed" in any week during which [he] **the individual** performs no services and with respect to which no wages are payable to [him] **such individual**;

(b) An individual shall be deemed "partially unemployed" in any week of less than full-time work if the wages payable to [him] **such individual** for such week do not equal or exceed [his] **the individual's** weekly benefit amount plus twenty dollars;

(c) An individual's "week of unemployment" shall begin the first day of the calendar week in which [he] **the individual** registers at an employment office except that, if for good cause [his] **the individual's** registration is delayed, the week of unemployment shall begin the first day of the calendar week in which [he] **the individual** would have otherwise registered. The requirement of registration may by regulation be postponed or eliminated in respect to claims for partial unemployment or may by regulation be postponed in case of a mass layoff due to a temporary cessation of work;

(27) "Waiting week" means the first week of unemployment for which a claim is allowed in a benefit year or if no waiting week has occurred in a benefit year in effect on the effective date of a shared work plan, the first week of participation in a shared work unemployment compensation program [under] **pursuant to** section 288.500.

2. The Missouri average annual wage shall be computed as of June thirtieth of each year, and shall be applicable to the following calendar year. The Missouri average annual wage shall be calculated by dividing the total wages reported as paid for insured work in the preceding calendar year by the average of mid-month employment reported by employers for the same calendar year. The Missouri average weekly wage shall be computed by dividing the Missouri average annual wage as computed in this subsection by fifty-two.

288.032. 1. After December 31, 1977, "employer" means:

(1) Any employing unit which in any calendar quarter in either the current or preceding calendar year paid for service in employment wages of one thousand five hundred dollars or more except that for the purposes of this definition, wages paid for "agricultural labor" as defined in paragraph (a) of subdivision (1) of subsection 12 of section 288.034 and for "domestic services" as defined in subdivisions (2) and (12) of subsection 12 of section 288.034 shall not be considered;

(2) Any employing unit which for some portion of a day in each of twenty different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year, had in employment at least one individual (irrespective of whether the same individual was in employment in each such day); except that for the purposes of this definition, services performed in "agricultural labor" as defined in paragraph (a) of subdivision (1) of subsection 12 of section 288.034 and in "domestic services" as defined in subdivisions (2) and (12) of subsection 12 of section 288.034 shall not be considered;

(3) Any governmental entity for which service in employment as defined in subsection 7 of section 288.034 is performed;

(4) Any employing unit for which service in employment as defined in subsection 8 of section 288.034 is performed during the current or preceding calendar year;

(5) Any employing unit for which service in employment as defined in paragraph (b) of subdivision (1) of subsection 12 of section 288.034 is performed during the current or preceding calendar year;

(6) Any employing unit for which service in employment as defined in subsection 13 of section 288.034 is performed during the current or preceding calendar year;

(7) Any individual, type of organization or employing unit which has [acquired substantially all of the business of an employer subject to this law] **been determined to be a successor pursuant to section 288.110**;

(8) Any individual, type of organization or employing unit which has elected to become subject to this law pursuant to subdivision (1) of subsection 3 of section 288.080;

(9) Any individual, type of organization or employing unit which, having become an employer, has not [under] **pursuant to** section 288.080 ceased to be an employer;

(10) Any employing unit subject to the Federal Unemployment Tax Act or which, as a condition for approval of this law for full tax credit against the tax imposed by the Federal Unemployment Tax Act, is required, pursuant to such act, to be an employer [under] **pursuant to** this law.

2. (1) Notwithstanding any other provisions of this law, any employer, individual, organization, partnership, corporation, other legal entity or employing unit that meets the definition of "lessor employing unit", as defined in subdivision (5) of this subsection, shall be liable for contributions on wages paid by the lessor employing unit to individuals performing services for client lessees of the lessor employing unit. Unless the lessor employing unit has timely complied with the provisions of subdivision (3) of this subsection, any employer, individual, organization, partnership, corporation, other legal entity or employing unit which is leasing individuals from any lessor employing unit shall be jointly and severally liable for any unpaid contributions, interest and penalties due [under] **pursuant to** this law from any lessor employing unit attributable to wages for services performed for the client lessee entity by individuals leased to the client lessee entity, and the lessor employing unit shall keep separate records and submit separate quarterly contribution and wage reports for each of its client lessee entities. Delinquent contributions, interest and penalties shall be collected in accordance with the provisions of this chapter.

(2) Notwithstanding the provisions of subdivision (1) of this subsection, any governmental entity or nonprofit organization that meets the definition of "lessor employing unit", as defined in subdivision (5) of this subsection, and has elected to become liable for payments in lieu of contributions as provided in subsection 3 of section 288.090, shall pay the division payments in lieu of contributions, interest, penalties and surcharges in accordance with section 288.090 on benefits paid to individuals performing services for the client lessees of the lessor employing unit. If the lessor employing unit has not timely complied with the provisions of subdivision (3) of this subsection, any client lessees with services attributable to and performed for the client lessees shall be jointly and severally liable for any unpaid payments in lieu of contributions, interest, penalties and surcharges due [under] **pursuant to** this law. The lessor employing unit shall keep separate records and submit separate quarterly contribution and wage reports for each of its client lessees. Delinquent payments in lieu of contributions, interest, penalties and surcharges shall be collected in accordance with subsection 3 of section 288.090. The election to be liable for payments in lieu of contributions made by a governmental entity or nonprofit organization meeting the definition of "lessor employing unit", may be terminated by the division in accordance with subsection 3 of section 288.090.

(3) In order to relieve a client lessees from joint and several liability and the separate reporting requirements imposed [under] **pursuant to** this subsection, any lessor employing unit may post and maintain a surety bond issued by a corporate surety authorized to do business in Missouri in an amount equivalent to the contributions or payments in lieu of contributions for which the lessor employing unit was liable in the last calendar year in which he **or she** accrued contributions or payments in lieu of contributions, or one hundred thousand dollars,

whichever amount is the greater, to ensure prompt payment of contributions or payments in lieu of contributions, interest, penalties and surcharges for which the lessor employing unit may be, or becomes, liable [under] **pursuant to** this law. In lieu of a surety bond, the lessor employing unit may deposit in a depository designated by the director, securities with marketable value equivalent to the amount required for a surety bond. The securities so deposited shall include authorization to the director to sell any securities in an amount sufficient to pay any contributions or payments in lieu of contributions, interest, penalties and surcharges which the lessor employing unit fails to promptly pay when due. In lieu of a surety bond or securities as described in this subdivision, any lessor employing unit may provide the director with an irrevocable letter of credit, as defined in section 400.5-103, RSMo, issued by any state or federally chartered financial institution, in an amount equivalent to the amount required for a surety bond as described in this subdivision. In lieu of a surety bond, securities or an irrevocable letter of credit, a lessor employing unit may obtain a certificate of deposit issued by any state or federally chartered financial institution, in an amount equivalent to the amount required for a surety bond as described in this subdivision. The certificate of deposit shall be pledged to the director until release by the director. As used in this subdivision, the term "certificate of deposit" means a certificate representing any deposit of funds in a state or federally chartered financial institution for a specified period of time which earns interest at a fixed or variable rate, where such funds cannot be withdrawn prior to a specified time without forfeiture of some or all of the earned interest.

(4) Any lessor employing unit which is currently engaged in the business of leasing individuals to client lessees shall comply with the provisions of subdivision (3) of this subsection by September 28, 1992. Lessor employing units not currently engaged in the business of leasing individuals to client lessees shall comply with subdivision (3) of this subsection before entering into a written lease agreements with client lessees.

(5) As used in this subsection, the term "lessor employing unit" means an independently established business entity, governmental entity as defined in subsection 1 of section 288.030 or nonprofit organization as defined in subsection 3 of section 288.090 which, pursuant to a written lease agreement between the lessor employing unit and the client lessees, engages in the business of providing individuals to any other employer, individual, organization, partnership, corporation, other legal entity or employing unit referred to in this subsection as a client lessee.

(6) The provisions of this subsection shall not be applicable to private employment agencies who provide their employees to employers on a temporary help basis provided the private employment agencies are liable as employers for the payment of contributions on wages paid to temporary workers so employed.

3. After September 30, 1986, notwithstanding any provision of section 288.034, for the purpose of this law, in no event shall a for-hire motor carrier as regulated by the Missouri division of transportation or whose operations are confined to a commercial zone be determined to be the employer of a lessor as defined in section 288.030 or of a driver receiving remuneration from a lessor, provided, however, the term "for-hire motor carrier" shall in no event include an organization described in section 501(c)(3) of the Internal Revenue Code or any governmental entity.

4. The owner or operator of a beauty salon or similar establishment shall not be determined to be the employer of a person who utilizes the facilities of the owner or operator but who receives neither salary, wages or other compensation from the owner or operator and who pays the owner or operator rent or other payments for the use of the facilities.

288.036. "Wages" means all remuneration, payable or paid, for personal services including commissions and bonuses and, except as provided in subdivision (8) of this section, the cash value of all remuneration paid in any medium other than cash. Gratuities, including tips received from persons other than the employing unit, shall be considered wages only if required to be reported as wages [under] **pursuant to** the Federal Unemployment Tax Act, 26 U.S.C. Sec. 3306, and shall be, for the purposes of this chapter, treated as having been paid by the employing unit. Severance pay shall be considered as wages to the extent required [under] **pursuant to** the Federal Unemployment Tax Act, 26 U.S.C. Section 3306(b). Vacation pay and holiday pay shall be considered as wages for the week with respect to which it is payable. The term "wages" shall not include:

(1) For the purposes of determining the amount of contributions due and contribution rates, that part of the remuneration for employment paid to an individual by an employer or the employer's predecessors which is in excess of seven thousand dollars for the calendar years 1988 through 1992, seven thousand five hundred dollars for the calendar year 1993, eight thousand five hundred dollars for the calendar years 1994 and 1995 and each calendar year thereafter, unless that part of the remuneration is subject to a tax [under] **pursuant to** a federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund; except that:

(a) In addition to the taxable wage, as defined in this subdivision, if on December 31, 1995, or on any December thirty-first thereafter, the balance in the unemployment insurance trust fund, less any federal advances, is less than one hundred million dollars, then the amount of the taxable wage then in effect shall be increased by five hundred dollars for all succeeding calendar years;

(b) If on December 31, 1995, or any December thirty-first thereafter, the balance in the unemployment insurance trust fund, less any federal advances, is two hundred and fifty million dollars or more, then the amount of the taxable wage then in effect shall be reduced by five hundred dollars, but not below that part of the remuneration which is subject to a tax [under] **pursuant to** a federal law imposing a tax against which

credit may be taken for contributions required to be paid into a state unemployment fund;

(2) The amount of any payment made (including any amount paid by an employing unit for insurance or annuities, or into a fund, to provide for any such payment) to, or on behalf of, an individual under a plan or system established by an employing unit which makes provision generally for individuals performing services for it or for a class or classes of such individuals, on account of:

(a) Sickness or accident disability, but in case of payments made to an employee or any of [his] **the employee's** dependents this paragraph shall exclude from the term "wages" only payments which are received [under] **pursuant to** a workers' compensation law; or

(b) Medical and hospitalization expenses in connection with sickness or accident disability; or

(c) Death;

(3) The amount of any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employing unit to, or on behalf of, an individual performing services for it after the expiration of six calendar months following the last calendar month in which the individual performed services for such employing unit;

(4) The amount of any payment made by an employing unit to, or on behalf of, an individual performing services for it or his **or her** beneficiary:

(a) From or to a trust described in 26 U.S.C. 401(a) which is exempt from tax [under] **pursuant to** 26 U.S.C. 501(a) at the time of such payment unless such payment is made to an employee of the trust as remuneration for services rendered as such an employee and not as a beneficiary of the trust; or

(b) Under or to an annuity plan which, at the time of such payments, meets the requirements of section 404(a)(2) of the Federal Internal Revenue Code (26 U.S.C.A. Sec. 404);

(5) The amount of any payment made by an employing unit (without deduction from the remuneration of the individual in employment) of the tax imposed [under] **pursuant to** section 3101 of the Federal Internal Revenue Code (26 U.S.C.A. Sec. 3101) upon an individual with respect to remuneration paid to an employee for domestic service in a private home or for agricultural labor;

(6) Remuneration paid in any medium other than cash to an individual for services not in the course of the employing unit's trade or business;

(7) Remuneration paid in the form of meals provided to an individual in the service of an employing unit where such remuneration is furnished on the employer's premises and at the employer's convenience, except that remuneration in the form of meals that is considered wages and required to be reported as wages [under] **pursuant to** the Federal Unemployment Tax Act, 26 U.S.C. Sec. 3306 shall be reported as wages as required thereunder;

(8) For the purpose of determining wages paid for agricultural labor as defined in paragraph (b) of subdivision (1) of subsection 12 of section 288.034 and for domestic service as defined in subsection 13 of section 288.034, only cash wages paid shall be considered[.]**;**

(9) Any payment to, or on behalf of, an employee or the employee's beneficiary under a cafeteria plan, if such payment would not be treated as wages pursuant to the Federal Unemployment Tax Act.

288.050. 1. Notwithstanding the other provisions of this law, a claimant shall be disqualified for waiting week credit or benefits until after [he] **the claimant** has earned wages for work insured [under] **pursuant to** the unemployment compensation laws of any state equal to ten times [his] **the claimant's** weekly benefit amount if the deputy finds:

(1) That [he] **the claimant** has left [his] work voluntarily without good cause attributable to [his] **such** work or to [his] **the claimant's** employer; except that [he] **the claimant** shall not be disqualified:

(a) If the deputy finds [he] **the claimant** quit such work for the purpose of accepting a more remunerative job which [he] **the claimant** did accept and earn some wages therein;

(b) If [he] **the claimant** quit temporary work to return to [his] **such claimant's** regular employer; or

(c) **If the deputy finds the individual quit work, which would have been determined not suitable in accordance with paragraphs (a) and (b) of subdivision (3) of subsection 1 of this section, within twenty-eight calendar days of the first day worked; or**

(d) As to initial claims filed after December 31, 1988, if the claimant presents evidence
supported by competent medical proof that she was forced to leave her work because ofvidence
pregnancy, notified her employer of such necessity as soon as practical under the bvidence

circumstances, and returned to that employer and offered her services to that employer as soon
as she was physically able to return to work, as certified by a licensed and practicing
physician, but in no event later than ninety days after the termination of the pregnancy. An
employee shall have been employed for at least one year with the same employer before she may
be provided benefits [under] **pursuant to** the provisions of this paragraph;

(2) That [he] **the claimant** has retired pursuant to the terms of a labor agreement between [his] **the claimant's** employer and a union duly elected by the employees as their official representative or in accordance with an established policy of [his] **the claimant's** employer; or

(3) That [he] **the claimant** failed without good cause either to apply for available suitable work when so directed by the deputy, or to accept suitable work when offered [him] **the claimant**, either through the division or directly by an employer by whom the individual was formerly employed, or to return to [his] **the individual's** customary self-employment, if any, when so directed by the deputy.

(a) In determining whether or not any work is suitable for an individual, the division shall consider, among other factors and in addition to those enumerated in paragraph (b) of this subdivision, the degree of risk involved to [his] **the individual's** health, safety and morals, [his] **the individual's** physical fitness and prior training, [his] **the individual's** experience and prior earnings, [his] **the individual's** length of unemployment, [his] **the individual's** prospects for securing work in [his] **the individual's** customary occupation, the distance of available work from [his] **the individual's** residence and [his] **the individual's** prospect of obtaining local work; except that, if an individual has [removed himself] **moved** from the locality in which [he] **the individual** actually resided when [he] **such individual** was last employed to a place where there is less probability of [his] **the individual's** employment at [his] **such individual's** usual type of work and which is more distant from or otherwise less accessible to the community in which [he] **the individual** was last employed, work offered by [his] **the individual's** most recent employer if similar to that which [he] **such individual** performed in [his] **such individual's** last employment and at wages, hours, and working conditions which are substantially similar to those prevailing for similar work in such community, or any work which [he] **the individual** is capable of performing at the wages prevailing for such work in the locality to which [he has removed] **the individual has moved**, if not hazardous to [his] **such individual's** health, safety or morals, shall be deemed suitable for [him] **the individual**;

(b) Notwithstanding any other provisions of this law, no work shall be deemed suitable and benefits shall not be denied [under] **pursuant to** this law to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

a. If the position offered is vacant due directly to a strike, lockout, or other labor dispute;

b. If the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality;

c. If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

2. Notwithstanding the other provisions of this law, if a deputy finds that a claimant has been discharged for misconduct connected with [his] **the claimant's** work, such claimant, depending upon the seriousness of the misconduct as determined by the deputy according to the circumstances in each case, shall be disqualified for waiting week credit or benefits for not less than four nor more than sixteen weeks for which [he] **the claimant** claims benefits and is otherwise eligible. In addition to the disqualification for benefits [under] **pursuant to** this provision the division may in the more aggravated cases of misconduct cancel all or any part of the individual's wage credits, which were established through [his] **the individual's** employment by the employer who discharged [him] **such individual**, according to the seriousness of the misconduct. A disqualification provided for [under] **pursuant to** this subsection shall not apply to any week which occurs after the claimant has earned wages for work insured [under] **pursuant to** the unemployment compensation laws of any state in an amount equal to eight times [his] **the claimant's** weekly benefit amount.

3. Notwithstanding the provisions of subsection 1 of this section, a claimant may not be determined to be disqualified for benefits because the claimant is in training approved [under] **pursuant to** section 236 of the Trade Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended), or because the claimant left work which was not "suitable employment" to enter such training. For the purposes of this subsection "suitable employment" means, with respect to a worker, work of a substantially equal or higher skill level than the worker's past adversely affected employment, and wages for such work at not less than eighty percent of the worker's average weekly wage as determined for the purposes of the Trade Act of 1974.

288.070. 1. All claims shall be made in accordance with such regulations as the division may prescribe; except that such regulations shall not require the filing of a claim for benefits by the claimant in person for a week of unemployment occurring immediately prior to [his] **the claimant's** reemployment, but claims in such cases may be made by mail, or otherwise if authorized by regulation. Notice of each initial claim filed by an insured worker which establishes the beginning of [his] **such worker's** benefit year shall be promptly mailed by the division to each base period employer of such individual and to the last employing unit whose name is

furnished by the individual when [he] **such individual** files such claim. In similar manner, a notice of each renewed claim filed by an insured worker during a benefit year after a period in such year during which [he] **the insured worker** was employed shall be given to the last employing unit whose name is furnished by the individual when [he] **the individual** files such renewed claim or to any other base period or subsequent employer of the worker who has requested such a notice. Any such base period employer or any employing unit, which employed the claimant since the beginning of the base period, who within ten calendar days after the mailing of notice of the initial claim or a renewed claim to [his or its] **the employer or employing unit's** last known address files a written protest against the allowance of benefits**, and any employing unit from whom the claimant was separated during a week of continued claim other than a week in which an initial or renewed claim is effective,** shall be deemed an interested party to any determination allowing benefits during the benefit year until such time as the issue or issues raised by the protest are resolved by a determination or decision which has become final.

2. A deputy shall promptly examine each initial claim and make a determination of the claimant's status as an insured worker. Each such determination shall be based on a written statement showing the amount of wages for insured work paid to the claimant by each employer during [his] **the claimant's** base period and shall include a finding as to whether such wages meet the requirements for [him] **the claimant** to be an insured worker, and, if so, the first day of [his] **the claimant's** benefit year, [his] **the claimant's** weekly benefit amount, and the maximum total amount of benefits which may be payable to [him] **the claimant** for weeks of unemployment in [his] **the claimant's** benefit year. The deputy shall in respect to all claims for benefits thereafter filed by such individual in [his] **the claimant's** benefit year make a written determination as to whether and in what amount the claimant is entitled to benefits for the week or weeks with respect to which the determination is made. Whenever claims involve complex questions of law or fact, the deputy, with the approval of the director, may refer such claims to the appeals tribunal, without making a determination, for a fair hearing and decision as provided in section 288.190.

3. The deputy shall, in writing, promptly notify the claimant of [his] **such deputy's** determination on an initial claim, including the reason therefor, and a copy of the written statement as provided in subsection 2 of this section. The deputy shall promptly notify the claimant and all other interested parties of [his] **such deputy's** determination on any claim for benefits and shall give the reason therefor; except that, where a determination on a later claim for benefits in a benefit year is the same as the determination on a preceding claim, no additional notice shall be given. A determination shall be final, when unappealed, in respect to any claim to which it applies except that an appeal from a determination on a claim for benefits shall be considered as an appeal from all later claims to which the same determination applies. The deputy may, however, not later than one year following the end of a benefit year, for good cause, reconsider any determination on any claim and shall promptly notify the claimant and other interested parties of [his] **such deputy's** redetermination and the reasons therefor. Whenever the deputy shall have notified any interested employer of the denial of benefits to a claimant for any week or weeks and shall thereafter allow benefits to such claimant for a subsequent week or weeks, [he] **the deputy** shall notify such interested employer of the beginning date of the allowance of benefits for such subsequent period.

4. Unless the claimant or any interested party within [fifteen] **thirty** calendar days after notice of such determination is either delivered in person or mailed to the last known address of such claimant or interested party files an appeal from such determination, it shall be final. If, pursuant to a determination or redetermination, benefits are payable in any amount or in respect to any week as to which there is no dispute, such amount of benefits shall be promptly paid regardless of any appeal.

5. Benefits shall be paid promptly in accordance with a determination or redetermination [under] **pursuant to** this section, or the decision of an appeals tribunal, the labor and industrial relations commission of Missouri or a reviewing court upon the issuance of such determination, redetermination or decision (regardless of the pendency of the period to apply for reconsideration, file an appeal, or petition for judicial review as provided in this section, or section 288.190, 288.200, or 288.210, as the case may be, or the pendency of any such application, appeal, or petition) unless and until such determination, redetermination or decision has been modified or reversed by a subsequent redetermination or decision, in which event benefits shall be paid or denied for weeks of unemployment thereafter in accordance with such modified or reversed redetermination or decision.

6. Benefits paid during the pendency of the period to apply for reconsideration, file an appeal, or petition for judicial review or during the pendency of any such application, appeal, or petition shall be considered as having been due and payable regardless of any redetermination or decision unless the modifying or reversing redetermination or decision establishes that the claimant willfully failed to disclose or falsified any fact which would have disqualified [him] **the claimant** or rendered [him] **the claimant** ineligible for such benefits as contemplated in subsection 9 of section 288.380.

7. Benefits paid during the pendency of the period to apply for reconsideration, file an appeal, or petition for judicial review or during the pendency of any such application, appeal, or petition which would not have been payable under a redetermination or decision which becomes final shall not be chargeable to any employer. Beginning with benefits paid on and after January 1, 1998, the provisions of this subsection shall not apply to employers who have elected to make payments in lieu of contributions pursuant to subsection 3 of section 288.090.

8. The ten-day period mentioned in subsection 1 of this section and the [fifteen-day] **thirty- day** period

mentioned in subsection 4 of this section may, for good cause, be extended.

288.100. 1. (1) The division shall maintain a separate account for each employer which is paying contributions, and shall credit [his] **each employer's** account with all contributions which [he] **each employer** has paid. A separate account shall be maintained for each employer making payments in lieu of contributions to which shall be credited all such payments made. The account shall also show payments due as provided in section 288.090. The division may close and cancel such separate account after a period of four consecutive calendar years during which such employer has had no employment in this state subject to contributions. Nothing in this law shall be construed to grant any employer or individuals in [his] **the employer's** service prior claims or rights to the amounts paid by [him] **the employer** into the fund either on [his] **the employer's** own behalf or on behalf of such individuals. Except as provided in subdivision (4) of this subsection, regular benefits and that portion of extended benefits not reimbursed by the federal government paid to an eligible individual shall be charged against the accounts of [his] **the individual's** base period employers who are paying contributions subject to the provisions of subdivision (4) of subsection 3 of section 288.090. With respect to initial claims filed after December 31, 1984, for benefits paid to an individual based on wages paid by one or more employers in the base period of the claim, the amount chargeable to each employer shall be obtained by multiplying the benefits paid by a ratio obtained by dividing the base period wages from such employer by the total wages appearing in the base period. Except as provided in paragraph (a) of this subdivision, the maximum amount of extended benefits paid to an individual and charged against the account of any employer shall not exceed one-half of the product obtained by multiplying the benefits paid by a ratio obtained by dividing the base period wages from such employer by the total wages appearing in the base period.

(a) The provisions of subdivision (1) of this subsection notwithstanding, with respect to weeks of unemployment beginning after December 31, 1978, the maximum amount of extended benefits paid to an individual and charged against the account of an employer which is an employer pursuant to subdivision (3) of subsection 1 of section 288.032 and which is paying contributions pursuant to subsections 1 and 2 of section 288.090 shall not exceed the calculated entitlement for the extended benefit claim based upon the wages appearing within the base period of the extended benefit claim.

(2) Beginning as of June 30, 1951, and as of June thirtieth of each year thereafter, any unassigned surplus in the unemployment compensation fund which is five hundred thousand dollars or more in excess of five-tenths of one percent of the total taxable wages paid by all employers for the preceding calendar year as shown on the division's records on such June thirtieth shall be credited on a pro rata basis to all employer accounts having a credit balance in the same ratio that the balance in each such account bears to the total of the credit balances subject to use for rate calculation purposes for the following year in all such accounts on the same date. As used in this subdivision, the term "unassigned surplus" means the amount by which the total cash balance in the unemployment compensation fund exceeds a sum equal to the total of all employer credit account balances. The amount thus prorated to each separate employer's account shall for tax rating purposes be considered the same as contributions paid by the employer and credited to [his] **the employer's** account for the period preceding the calculation date except that no such amount can be credited against any contributions due or that may thereafter become due from such employer.

(3) At the conclusion of each calendar quarter the division shall, within thirty days, notify each employer by mail of the benefits paid to each claimant by week as determined by the division which have been charged to [his] **such employer's** account subsequent to the last notice.

(4) (a) No benefits based on wages paid for services performed prior to the date of any act for which a claimant is disqualified [under] **pursuant to** section 288.050 shall be chargeable to any employer directly involved in such disqualifying act.

(b) In the event the deputy has in due course determined [under] **pursuant to** paragraph (a) of subdivision (1) of subsection 1 of section 288.050 that a claimant quit his work with an employer for the purpose of accepting a more remunerative job with another employer which [he] **the claimant** did accept and earn some wages therein, no benefits based on wages paid prior to the date of the quit shall be chargeable to the employer the claimant quit.

(c) In the event the deputy has in due course determined [under] **pursuant to** paragraph (b) of subdivision (1) of subsection 1 of section 288.050 that a claimant quit temporary work in employment with an employer to return to [his] **the claimant's** regular employer, then, only for the purpose of charging base period employers, all of the wages paid by the employer who furnished the temporary employment shall be combined with the wages actually paid by the regular employer as if all such wages had been actually paid by the regular employer. Further, charges for benefits based on wages paid for part-time work shall be removed from the account of the employer furnishing such part-time work if that employer continued to employ the individual claiming such benefits on a regular recurring basis each week of [his] **the claimant's** claim to at least the same extent that [he] **the employer** had previously employed [him] **the claimant** and so informs the division within [fifteen] **thirty** days from the date of notice of benefit charges.

(d) No charge shall be made against an employer's account in respect to benefits paid an individual if the gross amount of wages paid by such employer to such individual is four hundred dollars or less during the individual's base period on which [his] **the individual's** benefit payments are based. Further, no charge shall be made against any employer's account in respect to benefits paid any individual unless such individual was in employment with respect to such employer longer than a probationary period of twenty-eight days, if such

probationary period of employment has been reported to the division as required by regulation.

(e) **In the event the deputy has in due course determined pursuant to paragraph (c) of subdivision (1) of subsection 1 of section 288.050 that a claimant is not disqualified, no benefits based on wages paid for work prior to the date of the quit shall be chargeable to the employer the claimant quit.**

(f) Nothing in paragraphs (b), (c), [and] (d) **or (e)** of this subdivision shall in any way affect the benefit amount, duration of benefits or the wage credits of the claimant.

2. The division may prescribe regulations for the establishment, maintenance, and dissolution of joint accounts by two or more employers, and shall, in accordance with such regulations and upon application by two or more employers to establish such an account, or to merge their several individual accounts in a joint account, maintain such joint account as if it constituted a single employer's account.

3. The division may by regulation provide for the compilation and publication of such data as may be necessary to show the amounts of benefits not charged to any individual employer's account classified by reason no such charge was made and to show the types and amounts of transactions affecting the unemployment compensation fund.

288.110. [Any individual, type of organization or employing unit which has acquired substantially all of the business of an employer, excepting in any such case any assets retained by such employer incident to the liquidation of his obligations, and in respect to which the division finds that immediately after such change such business of the predecessor employer is continued without interruption solely by the successor, shall stand in the position of such predecessor employer in all respects, including the predecessor's separate account, actual contribution and benefit experience, annual payrolls, and liability for current or delinquent contributions, interest and penalties. If two or more individuals, organizations, or employing units acquired at approximately the same time substantially all of the business of an employer (excepting in any such case any assets retained by such employer incident to the liquidation of his obligations) and in respect to which the division finds that immediately after such change all portions of such business of the predecessor are continued without interruption solely by such successors, each such individual, organization, or employing unit shall stand in the position of such predecessor with respect to the proportionate share of the predecessor's separate account, actual contribution and benefit experience and annual payroll as determined by the portion of the predecessor's taxable payroll applicable to the portion of the business acquired, and each such individual, organization or employing unit shall be liable for current or delinquent contributions, interest and penalties of the predecessor in the same relative proportion. Further, any successor under this section which was not an employer at the time the acquisition occurred, shall pay contributions for the balance of the current rate year at the same contribution rate as the contribution rate of the predecessor whether such rate is more or less than two and seven-tenths percent, provided there was only one predecessor or there were only predecessors with identical rates. If the predecessors' rates were not identical, the division shall calculate a rate as of the date of acquisition applicable to the successor for the remainder of the rate year, which rate shall be based on the combined experience of all predecessor employers. In the event that any successor was, prior to an acquisition, an employer, and there is a difference in the contribution rate established for such calendar year applicable to any acquired or acquiring employer, the division shall make a recalculation as of the date of acquisition of the contribution rate applicable to any successor employer based upon the combined experience of all predecessor and successor employers, which revised contribution rate shall apply to employment after the date of any such acquisition. For this purpose a calculation date different from July first may be established. When the division has determined that a successor or successors stand in the position of a predecessor employer, the predecessor's liability shall be terminated as of the date of the acquisition.] **1. For purposes of this chapter, a business is deemed as transferred if any asset or liability activity of an employer is transferred in whole or in part by any means to another employer or employing unit. The transfer provision is applicable to all employers or employing units and shall include for profit, not for profit or governmental entities.**

2. For the purposes of this chapter, if the business of any employer is transferred, the transferee is deemed a successor if the division determines that at the time of the business transfer, the predecessor and the successor businesses are owned or controlled, either directly or indirectly, by substantially the same interest or interests by legally enforceable means. Ownership of the business entity by the same interest or interests shall be considered substantially the same if at least fifty percent or more of the business entity of the successor is owned or controlled by individuals or entities who, immediately preceding the change of ownership, owned or controlled at least fifty percent or more of the business entity of the predecessor, and the successor has continued or resumes the business of the predecessor in the same establishment which may or may not be at the same location. Without limitation by reason of enumeration, it is presumed by the division, unless shown to the contrary, that the meaning of "same interest or interests" includes a spouse, child, parent of the individual or individuals who owned or controlled the business. The meaning of "same interest or interests" shall include any combination of the relationships as previously outlined in this subsection.

3. Any successor pursuant to this section which was not an employer at the time the transfer occurred shall pay contributions for the balance of the calendar year at the same contribution rate as the predecessor provided there is only one predecessor or multiple predecessors with identical rates. If there is more than one predecessor and the predecessors' rates are not identical, the division shall calculate a contribution rate which shall be applicable to the successor for the remainder of the contribution rate year. The calculated contribution rate shall be based on the combined experience of all predecessor employers and shall be applicable to the

next calendar quarter within the same calendar year following the date of the transfer. In the event that the successor is an employer prior to a transfer and there is a difference in the contribution rate established for such calendar year applicable to any predecessor employer, the division shall make a recalculation of the contribution rate applicable to the successor employer based upon the combined experience of all predecessor and successor employers, as of the beginning of the next calendar quarter within the same calendar year following the date of transfer.

4. When the division determines that a successor stands in the position of a predecessor employer, the successor shall take over and continue the predecessor's account, including positive and negative balances and all other aspects of the account pursuant to this chapter. The predecessor and the successor shall be jointly and severally liable for any amounts owed by the predecessor to the division.

5. If only a portion of any asset or liability activity of the predecessor is transferred, the successor shall stand in the position of the predecessor and shall receive a proportionate share of the predecessor's separate account, actual contribution and benefit experience and annual payroll as determined by the portion of the predecessor's taxable payroll applicable to the portion of the asset or liability or activity acquired. The predecessor shall remain fully liable for its current or delinquent contributions or both, payments in lieu of contributions, interest and penalties. The successor shall also be jointly and severally liable with the predecessor for a proportionate share of the predecessor's current or delinquent contributions or both, payments in lieu of contributions, interest and penalties of the predecessor in the same proportionate share as provided for in this section.

6. The provisions of this section shall become effective on January 1, 1997.

288.113. Each employer's rate for the twelve months commencing January first of any calendar year shall be determined on the basis of [his] **the employer's** record through the preceding June thirtieth. In the event the division has been unable to calculate the rate, or the calculation of such rate by the division has not yet become final, in time to advise such employer of such rate a reasonable time before the date any contribution payment may be due, the rate in effect for the preceding calendar year shall be paid by each employer and an adjustment of any overpayment shall be permitted or additional payment demanded in the event of an underpayment, in connection with any different rate established for such calendar year, but no interest shall accrue on any such underpayment until the expiration of [fifteen] **thirty** days from the mailing of such demand.

[288.114. Effective September 30, 1995, any person who is defined as an employer or employing unit pursuant to this chapter and chapter 287, RSMo, but whose employees are not eligible for benefits under either or both chapters shall not be required to pay any taxes otherwise imposed under those chapters to the extent that the person's employees are not eligible for benefits.]

288.130. 1. Each employing unit shall keep true and accurate payroll and other related records, containing such information as the division may by regulation prescribe for a period of at least [five] **three** calendar years after the record was made. Such records shall be open to inspection and be subject to being copied by authorized representatives of the division at any reasonable time and as often as may be necessary. Any authorized person engaged in administering this law may require from any employing unit any sworn or unsworn reports, with respect to individuals performing services for it, which are deemed necessary for the effective administration of this law.

2. Each employer shall post and maintain in places readily accessible to [his] **the employer's** workers printed statements concerning benefit rights, claims for benefits and such other matters related to the administration of this law as the division may by regulation prescribe. Each employer shall supply to workers copies of any printed statements relating to claims for benefits when and as the division may by regulation prescribe. Such printed statements and other materials shall be supplied by the division without cost.

3. A deputy shall make an ex parte determination after investigation but without hearing with respect to any matter pertaining to the liability of an employing unit which does not involve a claimant. The deputy shall promptly notify any interested employing units of each such determination and the reason for it. The division shall grant a hearing before an appeals tribunal to any employing unit appealing from any such ex parte determination provided an appeal is filed in writing within [fifteen] **thirty** days following the date of notification or the mailing of such determination to the party's last known address. In the absence of an appeal any such determination shall become final at the expiration of a [fifteen-day] **thirty- day** period. The deputy may, however, at any time within a year from the date of [his] **the deputy's** determination, for good cause, reconsider the determination and shall promptly notify all interested employing units of [his] **the** amended determination and the reason for it.

4. The [fifteen-day] **thirty-day** period provided in subsection 3 of this section may, for good cause, be extended.

288.140. If not later than [four] **three** years after the date on which any contributions would have been required to be paid if due, an employing unit who has paid such contributions or interest thereon shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment is not practicable, and if the division shall determine that such contributions or interest or any portion thereof was erroneously collected, the division shall make an adjustment thereof, without interest, in connection with subsequent contribution payments, or if such adjustment is not practicable, the

division shall refund such payment, without interest, from the fund. The division may, in its discretion, at any time and under such conditions and limitations as it may deem proper, make an adjustment or refund of contributions or interest paid thereon which the division finds has been erroneously collected, or any part thereof, if it finds there is good cause why such adjustment or refund should be made. The division shall not be required to refund any contributions based upon wages payable or paid which have been included in a determination of a claimant's benefit rights and which determination has become final.

288.160. 1. If any employer neglects or refuses to make a report and payment of contributions as required by this law the division shall make an estimate based on any information in its possession or that may come into its possession of the amount of wages paid by such employer for the period in respect to which [he] **the employer** failed to make report and payment, and upon the basis of said estimated amount compute and assess the contributions and interest payable by such employer, adding to such sum a penalty equal to ten percent thereof. Promptly thereafter, the division shall give to such employer written notice of such estimated contributions, interest and penalties as so assessed, the notice to be served personally or by registered mail, directed to the last known principal place of business of such employer in this state or in any state in the event [he] **the employer** has none in this state.

2. In any case in which any contributions, interest or penalties imposed by this law are not paid when due, it shall be the duty of the division, when the amount of contributions, interest or penalties is determined, either by the report of the employer or by such investigation as the division may make, to assess the contributions, interest and penalties so determined against such employer and to certify the amount of said contributions, interest and penalties and give such employer written notice, served personally or by registered mail, directed to the last known address of such employer in this state or in any state, in the event [he] **the employer** has none in this state.

3. If fraud or evasion on the part of any employer is discovered by the division, the division shall determine the amount by which the state has been defrauded, shall add to the amount so determined a penalty equal to twenty-five percent thereof, and shall assess the same against the employer. The amount so assessed shall be immediately due and payable; provided, however, that the division shall promptly thereafter give to said employer written notice of such assessment.

4. Any employer against whom an assessment is made [under] **pursuant to** the provisions of subsections 1, 2 and 3 above may petition for reassessment. The petition for such reassessment shall be filed with the division during the thirty-day period following the day of service or mailing of the notice of such assessment. In the absence of the filing of such a petition for reassessment the assessment shall become final upon the expiration of such a thirty-day period. Each such petition for reassessment shall set forth specifically and in detail the grounds upon which it is claimed the assessment is erroneous.

5. (1) In any case in which any contributions, interest or penalties imposed by law are not paid when due, the notice of the assessment of such contributions, interest and penalties shall be served upon or mailed to the employer within [five] **three** years of the date upon which the payment of the contributions was due except that in any case of fraud or misrepresentation on the part of the employer, the notice of the assessment of the contributions, interest and penalties may be served upon or mailed to the employer at any time.

(2) The giving of the notice of the making of the assessment shall toll any statute of limitations on the collection of any contributions, interest and penalties assessed.

(3) In the event any employer is entitled to the advantage of the soldiers' and sailors' civil relief act of 1940, or any amendment thereto, prior to the date any assessment becomes final, such employer shall be permitted to file a petition for reassessment at any time within ninety days following such employer's discharge from the armed services.

(4) The certificate of assessment which, [under] **pursuant to** the provisions of section 288.170, may be filed with the clerk of the circuit court shall, upon such filing, thereafter be treated in all respects as a final judgment of the circuit court against the employer and the general statute of limitations applying to other judgments of courts of record shall apply.

288.190. 1. The director shall designate an impartial referee or referees to hear and decide disputed determinations, claims referred pursuant to subsection 2 of section 288.070, and petitions for reassessment. No employee of the division shall participate on behalf of the division in any case in which [he] **the division employee** is an interested party.

2. The manner in which disputed determinations, referred claims, and petitions for reassessment shall be presented and the conduct of hearings shall be in accordance with regulations prescribed by the division for determining the rights of the parties, whether or not such regulations conform to common law or statutory rules of evidence and other technical rules of procedure. When the same or substantially similar evidence is relevant and material to the matters in issue in claims by more than one individual or in claims by a single individual in respect to two or more weeks of unemployment, the same time and place for considering each such claim or claims may be fixed, hearings thereon jointly conducted, a single record of the proceedings made, and evidence introduced with respect to one proceeding considered as introduced in the others, if in the judgment of the appeals tribunal or the commission having jurisdiction of the proceeding such consolidation would not be prejudicial to any party. A full and complete record shall be kept of all proceedings in

connection with a disputed determination, referred claim, or petition for reassessment. The appeals tribunal shall include in the record and consider as evidence all records of the division that are material to the issues. All testimony at any hearing shall be recorded but need not be transcribed unless the matter is further appealed.

3. Unless an appeal on a disputed determination or referred claim is withdrawn, an appeals tribunal, after affording the parties reasonable opportunity for fair hearing, shall affirm, modify, or reverse the determination of the deputy, or shall remand the matter to the deputy with directions. In addition, in any case wherein the appellant, after having been duly notified of the date, time, and place of the hearing, shall fail to appear at such hearing, the appeals tribunal may enter an order dismissing the appeal. The director may transfer to another appeals tribunal the proceedings on an appeal determination before an appeals tribunal. The parties shall be duly notified of an appeals tribunal's decision or order, together with its reason therefor, which shall be deemed to be the final decision or order of the division unless, within [fifteen] **thirty** days after the date of notification or mailing of such decision, further appeal is initiated pursuant to section 288.200; except that, within [fifteen] **thirty** days of either notification or mailing of the appeals tribunal's decision or order, the appeals tribunal, on its own motion, may reconsider any decision or order when it appears that such reconsideration is essential to the accomplishment of the object and purpose of this law.

4. Unless a petition for reassessment is withdrawn or is allowed without a hearing, the petitioners shall be given a reasonable opportunity for a fair hearing before an appeals tribunal upon each such petition. The appeals tribunal shall promptly notify the interested parties of its decision upon such petition together with its reason therefor. In addition, in any case wherein the appellant, after having been duly notified of the date, time, and place of the hearing, shall fail to appear at such hearing, the appeals tribunal may enter an order dismissing the appeal. In the absence of the filing of an application for review of such decision, the decision, whether it results in a reassessment or otherwise, shall become final [fifteen] **thirty** days after the date of notification or mailing thereof; except that, within [fifteen] **thirty** days of either notification or mailing of the appeals tribunal's decision or order, the appeals tribunal, on its own motion, may reconsider any decision or order when it appears that such reconsideration is essential to the accomplishment of the object and purposes of this law.

288.200. 1. Any of the parties (including the division) to any decision of an appeals tribunal, may file with the commission within [fifteen] **thirty** days following the date of notification or mailing of such decision, an application to have such decision reviewed by the commission. The commission may allow or deny an application for review. If an application is allowed, the commission may affirm, modify, reverse, or set aside the decision of the appeals tribunal on the basis of the evidence previously submitted in such case or may take additional evidence or may remand the matter to the appeals tribunal with directions. Any additional hearing shall be conducted in accordance with the requirements of subsection 2 of section 288.190. The commission shall promptly notify the parties of its decision and its reasons therefor. If an application for review is denied, the decision of the appeals tribunal shall be deemed to be the decision of the commission for the purpose of judicial review and shall be subject to judicial review within the time and in the manner provided for with respect to decisions of the commission except that the time limitations shall run from the date of notice of the order of the commission denying the application for review.

2. Any decision of the commission shall become final ten days after the date of notification or mailing thereof to the parties. Any right, fact or matter in issue, directly based upon or necessarily involved in a determination or redetermination which has become final or in a decision on appeal which has become final, shall be conclusive with respect to the parties who had notice of such determination, redetermination, or decision for all the purposes of the employment security law in any other proceeding; except that, the commission may on its own motion and by a written decision reconsider any determination or redetermination or decision wherein any such right, fact or matter at issue was determined or necessarily involved when it appears that such reconsideration is essential to accomplish the object and purposes of the law. Judicial review of any decision of the commission shall be permitted only after the party claiming to be aggrieved thereby has exhausted the administrative remedies as provided by this law and the rules and regulations of the division.".

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, April 24, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Fifty-Ninth Day, Thursday, April 18, 1996, pages 12 and 13, roll call, by showing Representative Enz voting "no" rather than "absent with leave".

Correct House Journal, Sixtieth Day, Monday, April 22, 1996, pages 3 and 4, roll call, by showing Representative Hosmer voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Reynolds and Stokan voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Wednesday, April 24, 1996. Hearing Room 9 upon morning adjournment. Executive Session.

To be considered - HB 1237

COMMERCE

Thursday, April 25, 1996, 9:00 am. Hearing Rooms 1 and 2. Executive session to follow.

To be considered - SB 723

CORRECTIONAL & STATE INSTITUTIONS

Wednesday, April 24, 1996, 1:00 pm. Hearing Room 7. Executive Session.

To be considered - SCR 25

ENERGY AND ENVIRONMENT

Thursday, April 25, 1996, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - SB 538

INSURANCE

Thursday, April 25, 1996, 9:30 am. Side gallery. Executive Session.

To be considered - SB 759

RETIREMENT

Wednesday, April 24, 1996. Side gallery upon noon adjournment.

To be considered - Executive Session - HJR 64

TRAVEL COMMITTEE

Thursday, April 25, 1996, 8:30 am. Hearing Room 5.

HOUSE CALENDAR

SIXTY-SECOND DAY, WEDNESDAY, APRIL 24, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 1149, 1150 & 1240 - Jacob
2 HCS HB 987, 1155, 1158 & 1219, as amended - Jacob
3 HCS HB 1403 - Dougherty
4 HB 1247 - Shelton (57)
5 HCS HB 1588 - Overschmidt
6 HB 944, HCA 1 - Smith
7 HB 1154 - Murray (69)
8 HCS HB 1540 - Green
9 HB 993 - Williams (121)
10 HB 854 - Bland
11 HB 1312 - Tate
12 HCS HB 843 - Daniels (41)
13 HB 1133 - Witt
14 HB 855 - Bland
15 HCS HB 830 & 1082 - Carter
16 HB 1228, HCA 1 - Harlan
17 HB 1279 - Tate
18 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
19 HCS HB 829 & 1254 - May (108)
20 HB 1414, HCA 1 - Smith
21 HCS HB 960 - Rizzo
22 HB 1436, HCA 1 - Dougherty
23 HB 1399, HCA 1 - Leake
24 HCS HB 1112 - Koller
25 HCS HB 1204 - Wiggins
26 HB 816, HCA 1 - Backer
27 HCS HB 961 - Boucher
28 HB 1535 - Kissell
29 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
30 HCS HB 1429 - Liese
31 HCS HB 1143 - Witt
32 HB 856, HCA 1 - Bland
33 HB 1310 - Tate
34 HCS HB 1175, 1120 & 797 - Gratz
35 HCS HB 912 & 1108 - Treadway
36 HB 1579, HCA 1 - Skaggs
37 HB 1562 - Witt

38 HCS HB 1374 - Scheve
39 HB 801, HCA 1 - Schilling
40 HB 1443, HCA 1, HCA 2 - Prost
41 HB 1289 - Liese
42 HCS HB 1278 & 1277 - May (108)
43 HB 1590, HCA 1 - Harlan
44 HB 1145 - Shear (83)
45 HCS HB 1115 - Montgomery
46 HCS HB 1206 & 1484 - Hosmer
47 HB 1575 - Loudon
48 HB 1180 - Williams (159)
49 HB 1080, HCA 1 - Troupe
50 HCS HB 1430 & 1165 - Hosmer
51 HCS HB 1000 - Treadway
52 HCS HB 840 & 841 - Luetkenhaus
53 HB 833, HCA 1 - Dougherty
54 HCS HB 1465 - Hoppe
55 HB 1245 - Farmer
56 HCS HB 867, 893 & 1401 - Morgan
57 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172 - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HOUSE BILLS FOR THIRD READING

HS HCS HB 1237, (Budget Fiscal 4-17-96) - Rizzo

HS#2 HCS HB 1186, (Budget Fiscal 4-22-96) - Hoppe

HCS HB 1557 & 1489, E.C. - Days

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILL FOR SECOND READING

SS#2 SCS SB 838

SENATE BILL FOR THIRD READING - INFORMAL

SB 803 - Witt

BILLS IN CONFERENCE

1 SCS HCS HB 1002, as amended - Franklin
2 SCS HCS HB 1003, as amended - Franklin
3 SCS HCS HB 1004 - Green
4 SCS HCS HB 1005, as amended - Green
5 SCS HCS HB 1006, as amended - Tate
6 SCS HCS HB 1007 - Tate
7 SCS HCS HB 1008 - Franklin
8 SCS HCS HB 1009, as amended - Troupe
9 SCS HCS HB 1010, as amended - Carter
10 SCS HCS HB 1011 - Troupe
11 SCS HCS HB 1012 - Green
12 CCR#2 HCS SS SB 687, as amended - Lumpe
13 HCS SCS SB 657 - Legan
14 HCS SB 676 - Smith

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SIXTY-SECOND DAY, WEDNESDAY, APRIL 24, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

"I will sing of loyalty and of justice; to you, O Lord, I will sing. I will study the way that is blameless. When shall I attain it?" Psalm 101:1-2 (NRSV)

O God of Grace and Glory, when we resent having so many choices to make, help us remember that good character is the habit of choosing right from wrong.

Help us see that the strength of this state and its people lie on the path of justice and integrity. History and experience have given us evidence of your guidance to nations and to individuals. Give us the faith to believe that when You want us to do or not to do any particular thing, You will find a way of letting us know it.

The days grow short and there is much to be done. Working hours grow longer and there is much to be done. Grant those here the stamina and the endurance to accomplish what needs doing in these last several weeks, and bless them with your presence. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alicia Hill, Ashlee Wheeler, Dawn Barnett, Amy Dudash, Lisa Helker, Matt Gierse, Paul Cereghino, Kelly Dillon, Luke Heyer, Evan O'Brien, Jennifer Sombart, Elizabeth Clark, Josh Kreiter, Kait Fischer, Evan Barnett, Kyle Hamilton, Amanda Pizzimenti, Allen Kirchner, Courtney Cook, Jonathan Fournier, Tyler Adams, Adam Lewis, Dennis Henke, Crusman Brown, Brad Miller, Kelly Yarbrough, Chris Lindsay and Jessica Hemby.

The Journal of the sixty-first day was approved as corrected.

RESOLUTIONS

Representative Vogel offered House Resolution No. 845, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Tate offered House Resolution No. 846, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution No. 847, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Long offered House Resolution No. 848, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 849, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 850, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum (112) offered House Resolution No. 851, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE BILL

SS#2 SCS SB 838 was read the second time.

COMMITTEE REPORT

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS#2 HCS HB 1186 (Fiscal Note)**, begs leave to report it has been furnished an updated fiscal note and does not require Budget Committee fiscal review.

PERFECTION OF HOUSE BILLS - INFORMAL CALENDAR

HB 1402, relating to Certificate of Need, was taken up and placed back on the Informal Calendar.

HCS HB 1172, relating to sales and use tax, was taken up and placed back on the Informal Calendar.

HB 1243, with House Committee Amendment No. 1, relating to outdoor advertising, was taken up and placed back on the Informal Calendar.

HB 962, as amended, relating to Certificate of Value, was taken up and placed back on the Informal Calendar.

HB 1156, relating to gubernatorial appointments, was taken up and placed back on the Informal Calendar.

HCS HB 1363, relating to telecommunications, was taken up and placed back on the Informal Calendar.

HCS HB 894, relating to human rights, was taken up and placed back on the Informal Calendar.

BILL IN CONFERENCE

CCR # 2 HCS SS SB 687, as amended, relating to special school district, was taken up by Representative Lumpe.

Representative Green raised a point of order that **CCR # 2 HCS SS SB 687, as amended**, is exceeding the differences between the House and the Senate.

The point of order was taken under advisement.

CCR # 2 HCS SS SB 687, as amended, was laid over.

The Speaker assumed the Chair.

THIRD READING OF HOUSE BILLS

HCS HBs 1557 and 1489, relating to election deadlines, was taken up by Representative Days (71).

Representative Days (71) offered House Perfecting Amendment No. 1.

House Perfecting Amendment No. 1

AMEND Perfected House Committee Substitute for House Bills Nos. 1557 and 1489, page 2, section 72.422, line 3, by striking the word "annexed" and inserting in lieu thereof the word "**unannexed**"; and

Further amend said bill, page 3, section 72.422, line 22, by striking the word "annexed" and inserting in lieu thereof the word "**unannexed**".

On motion of Representative Days (71) , House Perfecting Amendment No. 1 was adopted.

On motion of Representative Days (71), **HCS HBs 1557 and 1489, as amended,** was read the third time and passed by the following vote:

AYES: 091

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Brown	Canuteson	Carter
Champion	Clayton	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Goward	Gratz	Green

Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hickey
Hoppe	Hosmer	Jacob	Keeven	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Liese	Long	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Montgomery	Morgan	Murray 69	Murray 135	Nordwald
O'Connor	O'Toole	Overschmidt	Pauley	Relford
Reynolds	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Stokan	Stoll	Summers	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Ward	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 067

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Childers
Chrismer	Cierpiot	Cooper	Elliott	Enz
Evans	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Griesheimer	Gross	Hall
Hand	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kauffman	Kelley 47
Legan	Levin	Linton	Lograsso	Loudon
Marble	Marshall 133	McClelland	Mitchell	Murphy
Naeger	O'Neill	Oetting	Ostmann	Pouche
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Sombart
Steen	Surface	Vogel	Wannenmacher	Whiteside
Wieland	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 004

Daniel 42	Ford	Ribaudo	Prost

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 083

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Dougherty	Farmer	Farnen	Fiebelman
Fitzwater	Goward	Gratz	Green	Gross
Gunn	Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Montgomery	Morgan	Murray 69	Nordwald	O'Connor
O'Neill	O'Toole	Pauley	Relford	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Stokan
Stoll	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Ward	Wiggins	Williams 121
Williams 159	Witt	Mr. Speaker		

NOES: 068

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Champion
Childers	Chrismer	Cierpiot	Cooper	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Griesheimer	Hall	Hand	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Kelley 47	Legan	Levin	Linton	Lograsso

Loudon	Marble	Marshall 133	McClelland	Mitchell
Murphy	Murray 135	Naeger	Oetting	Ostmann
Pouche	Pryor	Richardson	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Sombart
Steen	Summers	Surface	Vogel	Wannenmacher
Whiteside	Wieland	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown	Daniel 42	Foley	Ford	Franklin
Long	Overschmidt	Prost	Ribaudo	Ridgeway

Smith

VACANCY: 001

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

HS # 2 HCS HB 1186, relating to ambulance services, was taken up by Representative Hoppe.

On motion of Representative Hoppe, **HS # 2 HCS HB 1186** was read the third time and passed by the following vote:

AYES: 085

Alter	Backer	Barry 100	Bennett 15	Bland
Bonner	Boucher	Brown	Canuteson	Carter
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Enz	Evans
Farmer	Farnen	Fitzwater	Foley	Franklin
Goward	Green	Griesheimer	Gross	Gunn
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hickey	Hoppe	Jacob	Kauffman	Keeven
Kissell	Klumb	Kreider	Lakin	Levin
Linton	Lograsso	Luetkenhaus	Lumpe	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	Ostmann
Overschmidt	Pauley	Pryor	Relford	Reynolds
Ridgeway	Ross	Schilling	Sears 1	Sheldon 104
Shelton 57	Skaggs	Stokan	Tate	Thompson 37
Treadway	Troupe	Wiggins	Williams 121	Mr. Speaker

NOES: 069

Akin	Auer	Ballard	Barnett 4	Bartelsmeyer
Boatright	Bray 84	Broach	Burton	Champion
Childers	Copeland	Elliott	Fiebelman	Foster
Froelker	Gaskill	Gibbons	Graham	Hagan-Harrell
Hand	Hegeman	Hendrickson	Hohulin	Hosmer
Howerton	Kasten	Kelly 27	Koller	Leake
Legan	Liese	Long	Loudon	Marble
Marshall 26	Marshall 133	May 108	Mitchell	Murphy
Murray 135	Naeger	Nordwald	Oetting	Pouche
Richardson	Rizzo	Robirds	Sallee	Scheve
Schwab	Scott	Secrest	Shear 83	Smith
Sombart	Steen	Stoll	Summers	Surface
Thomason 163	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Williams 159	Wooten	

PRESENT: 001

Shields

ABSENT WITH LEAVE: 007

Ford Garnett Gratz Kelley 47 Prost Ribaudo Witt

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 791**, entitled:

An act to repeal section 167.161, RSMo Supp. 1995, relating to school hearings, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 791, Page 1, Section 167.161, Line 6, by striking the word "The" and inserting in lieu thereof, the following: "**After meeting with the superintendent or his designee to discuss the expulsion, the**"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 895 & HB 986**, entitled:

An act to repeal sections 302.175, 302.272 and 304.075, RSMo 1994, relating to school bus operator permits, and to enact in lieu thereof four new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 937**, entitled:

An act to repeal section 226.550, RSMo 1994, relating to certain permit fees for outdoor advertising, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 937, Page 1, Section 226.550, Line 7, by inserting immediately after the word "organizations" as that word first appears on said line, the following: "**, service organizations, veteran organizations**"; and

Further amend said section, page 2, line 39, by inserting immediately after the words "religious organizations", the following: "**, service organizations, veteran organizations**"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 956**, entitled:

An act to repeal section 89.090, RSMo 1994, relating to certain municipalities, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

Amend House Bill No. 956, Page 1, Section Title, Line 3, by striking the word "one" and inserting in lieu thereof the word "two"; and further amend said bill, page 1, section A, line 1, by striking the words "one new section" and

inserting in lieu thereof the following: "two new sections"; and further on line 2, by striking "section 89.090" and inserting in lieu thereof "sections 89.090 and 1"; and

Further amend said bill, page 2, section 89.090, line 22, by inserting immediately after said line, the following:

"**Section 1. 1. The boundary commission of any county of the first classification with a charter form of government and a population greater than nine thousand may grant any petition for annexation submitted by a single property owner whose continuous tract of property lies in two adjacent municipalities so long as the following conditions are met:**

(1) All of the property that is the subject of the annexation petition is owned by the petitioner;

(2) The petitioner's residence is located on the portion of property that is within the incorporated limits of the annexing municipality.

2. Such petition shall be handled pursuant to the simplified boundary change as provided in subdivision (4) of subsection 1 of section 72.400, RSMo, and shall not require a public vote."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1086**, entitled:

An act to repeal section 574.085, RSMo 1994, relating to crimes and punishment, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

Amend House Bill No. 1086, Page 2 ,Section 574.085, Line 18, by striking "five hundred" and inserting in lieu thereof the following: "**one thousand**"; and further on line 21, by striking "two thousand five" and inserting in lieu thereof the following: "**five thousand**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1093**, entitled:

An act to repeal section 321.610, RSMo Supp. 1995, relating to certain fire protection districts, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1093, Page 1, Section 321.610, Line 8, by inserting immediately after "The board" the following: "**in any county of the first classification having a population in excess of nine hundred thousand may fix an additional rate not to exceed twenty-five cents on the hundred dollars valuation and the board in all other first classification counties**"; and further amend line 9, by striking the opening bracket "[" and closing bracket "]"; and further amend said line by striking the words "twenty-five".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1097**, entitled:

An act to repeal section 190.305, RSMo 1994, relating to emergency response services, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1110**, entitled:

An to repeal sections 326.060, 326.130, 326.200 and 326.210, RSMo 1994, relating to the licensing of public accountants, and to enact in lieu thereof four new sections relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

Amend House Bill No. 1110 ,Page 1, Section 326.060, Line 9 by striking the following: "[1999] 2000" and inserting in lieu thereof the following: "**1999**"; and

Further amend said bill and section, page 2, line 13, by striking the following: "[1999] 2000" and inserting in lieu thereof the following: "**1999**"; and

Further amend said bill, page 8, section 326.210, line 33, by striking "[or]" and inserting in lieu thereof the word "**or**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1131**, entitled:

An act relating to the civil air patrol.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

Amend House Bill No. 1131, Page 2, Section 1, Line 24 by inserting immediately after said line the following:

"**4. The attorney general shall enforce the rights contained in this section for members of the civil air patrol.**"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1168**, entitled:

An act relating to Missouri's peach officers memorial day.

With Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2.

Senate Committee Amendment No. 1

AMEND House Bill No. 1168, Page 1, Section 1, Line 3, by inserting immediately after the word "**state**" the following: "**, county**".

Senate Committee Amendment No. 2

Amend House Bill No. 1168, Page 1, Section Title, Line 2, by inserting immediately after "day" the following: ", with an emergency clause"; and

Further amend said bill, page 1, section 1, line 5, by inserting immediately after said line the following:

"Section A. As a result of time constraints, the need to show the proper respect to peace officers killed or disabled in the performance of their duties, and the need to educate and inform Missourians so that in the future fewer peace officers will be killed or disabled in the performance of their duties, this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution which shall be in full force and effect upon passage and approval."

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1223**, entitled:

An act to repeal section 144.069, RSMo 1994, relating to sales taxes on motor vehicles, and to enact in lieu thereof one new section relating to the same subject, with an effective date.

With Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2.

Senate Committee Amendment No. 1

Amend House Bill No. 1223, Page 1, Section 144.069, Lines 6-7, by striking the words", notwithstanding any other provision of law, administrative rule or regulation"

Senate Committee Amendment No. 2

Amend House Bill No. 1223, Page 1, Section 144.069, Line 5, by inserting after "consummated" the following:

"**unless the vehicle, trailer, boat or motor has been registered and sales taxes have been paid prior to the consummation of the lease agreement**"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1248**, entitled:

An act to repeal section 12.027, RSMo 1994, relating to public lands, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1248, Page 1, Section 12.027, Line 2, by inserting after the word "lands" the following: "**and lands acquired after the effective date of this section**"; and

Further amend said bill, Page 1, Section 12.027, Line 7, by deleting the word "Historical" and inserting in lieu thereof the following: "[Historical] **Historic**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1304**, entitled:

An act to amend chapter 190 RSMo, relating to emergency telephone services by adding thereto one new section relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1355**, entitled:

An act to repeal sections 105.665, 105.670 and 105.675, RSMo 1994, relating to certain retirement plans, and to enact in lieu thereof three new sections relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1355, Page 1, Section 105.665, Line 6, by deleting the words "**and assumptions**"; and

Further amend said bill, Page 1, Section 105.665, Line 7, by deleting the following: "**. The cost statement**" and inserting in lieu thereof the following: "**and**"; and

Further amend said bill, Page 2, Section 105.665, Line 25, by deleting the opening bracket "["; and

Further amend said bill, Page 2, Section 105.665, Line 26, by deleting the closing bracket "]"; and

Further amend said bill, Page 2, Section 105.665, Line 27, by inserting after the word and closing bracket "assumptions]" the following: "**, which**"; and

Further amend said bill, Page 2, Section 105.665, Line 28, by inserting after the word "**plan**" the following: "**, unless the nature of the proposed change is such that alternative assumptions are clearly warranted,**"; and

Further amend said bill, Page 3, Section 105.675, Line 7, by deleting the word "**chief**"; and

Further amend said bill, Page 3, Section 105.675, Line 7, by deleting the words "**of the senate**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1359**, entitled:

An act to repeal section 37.005, RSMo 1994, relating to the disposition of state property, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1359, page 2, section 37.005, line 34, by striking the words "facilities and"; and further amend said line, by inserting immediately after "any" the word "**state**"; and further amend line 35, by striking the words "the facility or some part of such facility" and inserting in lieu thereof the following: "**such grounds**"; and further amend line 36, by striking the words "state property" and inserting in lieu thereof the following: "**grounds**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken

up and passed **SCS HB 1369**, entitled:

An act to repeal section 304.022, as enacted by conference committee substitute for senate substitute no. 2 for senate substitute for house bill no. 1047, eighty-eighth general assembly, second regular session, and signed by the governor on March 13, 1996, relating to motor vehicles, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1379**, entitled:

An act relating to certain operations of government.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1400**, entitled:

An act to repeal sections 103.008, 103.079 and 103.158, RSMo 1994, and section 103.003, RSMo Supp. 1995, relating to the health plan for state employees, and to enact in lieu thereof four new sections relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1400, page 3, section 103.008, by striking the word "a" and inserting in lieu thereof the word "**any**"; and

Further amend said bill, page 3, section 103.079, line 2, by striking the following: ", and the division of employment security".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1460**, entitled:

An act to repeal section 190.335, RSMo 1994, relating to central dispatching and emergency services and to enact in lieu thereof four new sections relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1460, Page 3, Section 190.335, Lines 66-69, by striking all of said lines; and

Further amend said bill, pages 5-6, section 190.342, lines 1-52, by deleting all of said section; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1466**, entitled:

An act to repeal section 144.030, RSMo Supp. 1995, relating to sales tax exemptions, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1469**, entitled:

An act to repeal sections 110.130, 110.140, 110.150, 140.170, 140.190 and 140.405, RSMo 1994, relating to county government, and to enact in lieu thereof six new sections relating to the same subject.

With Senate Perfecting Amendment No. 1.

Senate Perfecting Amendment No. 1

Amend Senate Committee Substitute for House Bill No. 1469, Page 2, Section 110.140, Lines 6-7, by striking "two" from each said lines and inserting in lieu thereof the following: "two **or**"; and

Further amend said bill, page 3, section 110.150 line 2, by inserting after the word "every" the words "**second or**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1523**, entitled:

An act to amend chapter 610. RSMo, relating to governmental records by adding thereto one new section, relating to certain public school records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1554**, entitled:

An act to repeal section 482.330, RSMo 1994, relating to small claims court, and to enact in lieu thereof one new section relating to the same subject.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

AMEND House Bill No. 1554, Page 1, Section 482.330, Line 3, by striking the word "ten" and inserting in lieu thereof the word "**eight**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1601**, entitled:

An act relating to the conveyance of certain property in Callaway County to the city of Fulton.

With Senate Committee Amendment No. 1

Senate Committee Amendment No. 1

AMEND House Bill No. 1601, Page 1, In the Title, Line 2, by deleting the words "to the city of Fulton"; and

Further amend said bill, page 4, section 2, line 75, by inserting immediately after said line, the following:

"**Section 3. 1. The governor of the state of Missouri is hereby authorized to grant, sell and convey certain excess lands of the state of Missouri adjacent to Fulton state hospital to the county of Callaway for valuable consideration as agreed to by the parties.**

2. The property to be conveyed is more particularly described as follows:

Part of the S.E. 1/4, Sec. 16 T47N.R9W. Callaway County, Mo., described as follows: commencing at a 1/2" iron pin at the East 1/4 corner of said Sec. 16, thence N. 87&;32'57" W along the east-west mid- section line of said Sec. 16, 530 feet to a 1/2" iron pin at the N.W. Corner of the Diagnostic property, thence S 01&;32'02" W along the west line of said Diagnostic property 849.44 feet to the true point of beginning, thence continue S 01&;32'02" along said line 100 feet to the N.E. corner of the Callaway County Jail property. Thence N 87&;32'57" W along the north line of said property 500.00 feet to the N.W. corner of said property, thence N 01&;38'02" E 100 feet. Thence S 87&;32'57" E 500.00 feet to the true point of beginning. Containing 1.15 acres, subject to any rights of way, easements or restrictions existing or of record.

3. The attorney general shall approve as to form the instrument of conveyance."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1604**, entitled:

An act authorizing the governor to convey state property used as an armory by the Missouri National Guard located in Webb City.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

Amend House Bill No. 1604, Page 1, Section Title, Lines 2-3 by striking all of said lines and inserting in lieu thereof the following: "Authorizing the governor to convey state property."; and

Further amend said bill, page 1, section 1, line 10, by inserting immediately after said line, the following:

"**Section 2. 1. The governor is hereby authorized and empowered to give, grant and convey to and for the use of N.W. Electric Power Cooperative, Inc., a Missouri corporation, an easement for the purposes of construction, operating and maintaining an electric power substation located on a tract of land in the Southeast Quarter of**

Section 11, Township 57 North, Range 30 West, DeKalb County, Missouri, being more particularly described as follows:

Commencing at an iron pin found at the Southeast corner of Section 11, Township 57 North, Range 30 West, DeKalb County, Missouri; thence South 89&;12'01" West, 465.92 feet along the South line of Section 11 to a found 60d nail; thence North 00&;47'59" West, 30.00 feet to an iron pin found on the north right of way line of a road and true point of beginning; thence south 89&;12'01" West along said right of way 200.00 feet to an iron pin set at the Southwest corner of the tract; thence North 00&;47'59" West, 200.00 feet to an iron pin set at the Northwest corner of the tract; thence North 89&;12'01" East, 200.00 feet to an iron pin set at the Northeast corner of the tract; thence South 00&;47'59" East, 200.00 feet to the point of beginning, containing 0.92 acres more or less. Subject to all easements, reservations or restrictions of record.

2. The attorney general shall approve the form of the instrument of conveyance."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 510**, entitled:

An act to repeal sections 302.191 and 302.292. RSMo 1994, and to enact in lieu thereof two new sections relating to the reporting and examination of impaired drivers for safety purposes, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 597 & 729**, entitled:

An act to amend chapters 376 and 379, RSMo, relating to the reorganization of certain mutual insurance companies by adding thereto thirteen new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 719**, entitled:

An act to repeal sections 473.730, 473.733, 473.739, 473.747 and 475.050, RSMo 1994, and section 50.333, RSMo Supp. 1995, relating to public administrators, and to enact six new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 903**, entitled:

An act to repeal section 431.180, RSMo Supp. 1995, relating to certain construction agreements, and to enact two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 981**, entitled:

An act to repeal section 144.748, RSMo 1994, relating to use tax, and to enact in lieu thereof five new sections relating to the same subject, with an emergency clause and a termination date.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 766**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 819**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 823**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 929**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 941**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HCS HB 980**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1076**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1117**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1123**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1166**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1171**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1208**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1217**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1221**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1260**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1286**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1315**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1346**.

Emergency Clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1404**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1419**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1431**.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1440**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1441**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1473**.

Emergency Clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1477**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1504**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1541**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken

up and passed **HB 1566**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1598**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1610**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1619**.

Emergency Clause adopted.

On motion of Representative Crump (152), the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

RESOLUTIONS

Representative Harlan offered House Resolution No. 852, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution No. 853, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 816, 817, 818, 819, 820, 821, 823, 824, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 841, 842, 843**, **844, 845, 846, 847, 848, 849, 850, 851, 852 and 853** begs leave to report it has examined the same and recommends that they **Do Pass**.

PERFECTION OF HOUSE BILL

HB 1247, relating to tobacco product sales, was taken up by Representative Shelton (57).

Representative Shelton (57) offered **HS HB 1247**.

Representative Smith assumed the Chair.

Representative Gross offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Bill No. 1247, Page 8, Section 311.905, Line 5 from the top of said page, by inserting immediately after the word "**ordinance**" the words "**or order**"; and

Further amend said bill, Page 8, Section 311.905, Line 6 from the top of said page, by inserting immediately after the words "**body of the**" the following: "**county,**"; and

Further amend said bill, Page 10, Section 311.907, Line 20 from the top of said page, by inserting immediately after the words "**determined by**" the words "**ordinance or order passed by**"; and

Further amend said bill, Page 10, Section 311.907, Line 20 from the top of said page, by inserting immediately after the words "**body of the**" the following: "**county,**"; and

Further amend said bill, Page 11, Section 311.907, Line 20 from the top of said page, by inserting immediately after the words "**ordinance**" the words "**or order**"; and

Further amend said bill, Page 11, Section 311.907, Line 21 from the top of said page, by inserting immediately after the words "**body of the**" the following: "**county,**"; and

Further amend said bill, Page 14, Section 311.909, Line 3 from the top of said page, by inserting immediately after the word "**ordinance**" the words "**or order**"; and

Further amend said bill, Page 14, Section 311.909, Line 4 from the top of said page, by inserting immediately after the words "**body of the**" the following: "**county,**"; and

Further amend said bill, Page 14, Section 311.918, Line 20 from the top of said page, by inserting immediately after the word "**ordinance**" the words "**or order**"; and

Further amend said bill, Page 14, Section 311.918, Line 21 from the top of said page, by inserting immediately after the words "**body of the**" the following: "**county,**"; and

Further amend said bill, Page 15, Section 311.918, Line 4 from the top of said page, by inserting immediately after the word "**ordinance**" the words "**or order**"; and

Further amend said bill, Page 15, Section 311.918, Line 5 from the top of said page, by inserting immediately after the words "**body of the**" the following: "**county,**".

On motion of Representative Gross, House Amendment No. 1 was adopted.

Representative Hosmer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Bill No. 1247, Page 1, In the Title, Line 5, by deleting the word "nine" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "nine" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the following: "311.918, 311.920 and 311.925" and inserting in lieu thereof the following: "311.918 and 311.920"; and

Further amend said bill, Pages 16 and 17, Section 311.925, by deleting all of said section.

On motion of Representative Hosmer, House Amendment No. 2 was adopted by the following vote:

AYES: 087

Alter	Ballard	Barry 100	Bartelsmeyer	Bennett 15
Boatright	Bonner	Boucher	Bray 84	Brown
Burton	Canuteson	Champion	Childers	Crum 112
Davis	Days	Donovan	Dougherty	Elliott
Enz	Evans	Farmer	Farnen	Fitzwater
Foley	Foster	Froelker	Gaskill	Gibbons
Griesheimer	Gross	Gunn	Hagan-Harrell	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Hosmer	Jacob	Kauffman	Kelley 47	Kissell
Klumb	Lakin	Levin	Liese	Linton
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	McBride	McClelland	McLuckie	Montgomery
Murray 135	Nordwald	O'Toole	Oetting	Ostmann
Relford	Reynolds	Ridgeway	Sallee	Scheve
Schilling	Scott	Shear 83	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Surface
Tate	Van Zandt	Wannenmacher	Whiteside	Wieland
Williams 121	Mr. Speaker			

NOES: 064

Akin	Auer	Backer	Barnett 4	Broach
Carter	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crump 152	Daniel 42	Daniels 41	Edwards-Pavia
Fiebelman	Franklin	Garnett	Goward	Graham
Green	Hand	Heckemeyer	Hoppe	Howerton
Kasten	Keeven	Kelly 27	Koller	Kreider
Leake	Legan	Lograsso	Long	Mays 50
Mitchell	Morgan	Murphy	Murray 69	Naeger
O'Connor	Overschmidt	Pauley	Pouche	Prost
Pryor	Richardson	Rizzo	Robirds	Ross
Schwab	Sears 1	Sheldon 104	Shelton 57	Stoll

Summers	Thomason 163	Thompson 37	Treadway	Vogel
Wiggins	Williams 159	Witt	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Ford	Gratz	Hall	Hickey
Marshall 133	O'Neill	Ribaudo	Secrest	Troupe

Ward

VACANCY: 001

HB 1247, with HS, as amended, pending, was placed on the Informal Calendar.

The Speaker resumed the Chair.

BILL IN CONFERENCE

CCR #2 HCS SS SB 687, **as amended**, relating to special school districts, was again taken up by Representative Lumpe.

The Chair ruled the point of order, which was under advisement, well taken.

Representative Lumpe moved that the House refuse to adopt **CCR #2 HCS SS SB 687, as amended,** and request the Senate to grant the House a further conference.

Which motion was adopted.

PERFECTION OF HOUSE BILL- INFORMAL

HCS HB 1172, relating to sales and use tax, was again taken up by Representative Jacob.

Representative Jacob offered **HS HCS HB 1172**.

Representative Harlan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1172, Page 4, Section 144.020, Line 21, by deleting the words "two and one-fourth" and inserting in lieu thereof the word "one".

Representative Jacob offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill No. 1172, page 4, section 144.020, line 21, by deleting the words "and one-fourth".

On motion of Representative Jacob, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 093

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	
Chrismer				
Cierpiot	Clayton	Copeland	Crum 112	Crump
152				
Daniel 42	Daniels 41	Davis	Days	
Dougherty				
Enz	Farmer	Farnen	Fiebelman	
Fitzwater				
Foley	Franklin	Goward	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Harlan
Hartzler 123	Heckemeyer	Hoppe	Hosmer	Jacob
Kelly 27	Kissell	Klumb	Koller	
Kreider				
Lakin	Leake	Levin	Liese	Loudon
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays
50				
McBride	McClelland	McLuckie	Montgomery	Morgan

Murray 69	Murray 135	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Pauley	Prost	Relford
Reynolds	Ridgeway	Rizzo	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Stokan	Stoll	Tate	Thomason 163
Treadway	Van Zandt	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 061

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Cooper	Donovan	Edwards-Pavia
Elliott	Evans	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Hand	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Legan	Linton
Lograsso	Long	Marble	Marshall 133	Mitchell
Murphy	Naeger	Oetting	Pouche	Pryor
Richardson	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Sombart	Steen
Summers	Surface	Vogel	Wannenmacher	Whiteside
Wieland				

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hall	Hickey	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

HCS HB 1172, with HS, as amended, pending, was laid over.

COMMITTEE REPORTS

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **SS SCS SB 507**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **SB 525**, begs leave to report it has examined the same and recommends that it **Do Pass with House Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 525, Page 5, Section 209.259, Line 14, by inserting after said line the following:

"**Section 1. Telecommunications companies shall ensure , if readily achievable as defined by federal law 42 u.s.c.a. section 12181(9), that high quality existing and new telecommunications services are available, accessible and usable by individuals with disabilities, unless making the services available, accessible or usable would result in an undue burden, including unreasonable costs or technical infeasibility, or would have an adverse competitive effect.**"; and

Further amend said bill by amending the title and enacting clause accordingly.

Committee on Correctional and State Institutions, Chairman Crump (152) reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Ways and Means, Chairman Jacob reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 888**, begs leave to report it has

examined the same and recommends that the **House Committee Substitute Do Pass.**

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 1650 - Motor Vehicle and Traffic Regulations

HB 1651 - Education - Elementary and Secondary

HB 1652 - Education - Elementary and Secondary

HB 1653 - Children, Youth and Families

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 838 - Motor Vehicle and Traffic Regulations

SCS SB 884 & 841 - Judiciary and Ethics

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, April 25, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-First Day, Tuesday, April 23, 1996, pages 4 and 5, roll call, by showing Representatives Kreider, Luetkenhaus, Liese and O'Neill voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representatives Loudon, Stokan and Liese voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, April 25, 1996. Hearing Room 9 upon morning adjournment.

Executive session on previously heard bills.

BUDGET

Monday, April 29, 1996, 1:00 pm. Hearing Room 9. Possible executive session.

To be considered - SB 500, SB 757

COMMERCE

Thursday, April 25, 1996, 9:00 am. Hearing Rooms 1 and 2. Executive session to follow.

To be considered - SB 723

ENERGY AND ENVIRONMENT

Thursday, April 25, 1996, 8:00 am. Hearing Room 8. Executive session may follow.

To be considered - SB 538

INSURANCE

Thursday, April 25, 1996, 9:30 am. Side gallery. Executive Session

To be considered - SB 759

JOINT SUB COMMITTEE ON TRANSPORTATION

Monday, April 29, 1996, 7:30 pm. Hearing Room 9. Branson Highroad Project.

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, April 29, 1996, 8:00 pm. Hearing Room 7.

To be considered - Executive Session - HB 1647, Executive Session -

SB 722, Executive Session - SB 659

TRAVEL COMMITTEE

Thursday, April 25, 1996, 8:30 am. Hearing Room 5

HOUSE CALENDAR

SIXTY-THIRD DAY, THURSDAY, APRIL 25, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 1149,1150 & 1240 - Jacob
2 HCS HB 987, 1155, 1158 & 1219, as amended - Jacob
3 HCS HB 1403 - Dougherty
4 HCS HB 1588 - Overschmidt
5 HB 944, HCA 1 - Smith
6 HB 1154 - Murray (69)
7 HCS HB 1540 - Green
8 HB 993 - Williams (121)
9 HB 854 - Bland
10 HB 1312 - Tate
11 HCS HB 843 - Daniels (41)
12 HB 1133 - Witt
13 HB 855 - Bland
14 HCS HB 830 & 1082 - Carter
15 HB 1228, HCA 1 - Harlan
16 HB 1279 - Tate
17 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
18 HCS HB 829 & 1254 - May (108)
19 HB 1414, HCA 1 - Smith
20 HCS HB 960 - Rizzo
21 HB 1436, HCA 1 - Dougherty
22 HB 1399, HCA 1 - Leake
23 HCS HB 1112 - Koller
24 HCS HB 1204 - Wiggins
25 HB 816, HCA 1 - Backer
26 HCS HB 961 - Boucher
27 HB 1535 - Kissell
28 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
29 HCS HB 1429 - Liese
30 HCS HB 1143 - Witt
31 HB 856, HCA 1 - Bland
32 HB 1310 - Tate
33 HCS HB 1175, 1120 & 797 - Gratz
34 HCS HB 912 & 1108 - Treadway
35 HB 1579, HCA 1 - Skaggs
36 HB 1562 - Witt
37 HCS HB 1374 - Scheve
38 HB 801, HCA 1 - Schilling
39 HB 1443, HCA 1, HCA 2 - Prost
40 HB 1289 - Liese
41 HCS HB 1278 & 1277 - May (108)
42 HB 1590, HCA 1 - Harlan
43 HB 1145 - Shear (83)
44 HCS HB 1115 - Montgomery
45 HCS HB 1206 & 1484 - Hosmer
46 HB 1575 - Loudon
47 HB 1180 - Williams (159)
48 HB 1080, HCA 1 - Troupe
49 HCS HB 1430 & 1165 - Hosmer
50 HCS HB 1000 - Treadway
51 HCS HB 840 & 841 - Luetkenhaus
52 HB 833, HCA 1 - Dougherty
53 HCS HB 1465 - Hoppe
54 HB 1245 - Farmer
55 HCS HB 867, 893 & 1401 - Morgan
56 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HCS HB 1172, HS, as amended - Jacob

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247 - HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HS HCS HB 1237, (Budget Fiscal 4-17-96) - Rizzo

HS HCS HB 1199, 1357 & 1393 - Reynolds

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR SECOND READING

SS SCS SB 510

SCS SB 597 & 729

SCS SB 719

SS SB 981

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

HOUSE BILLS WITH SENATE AMENDMENTS

1 HB 791, SCA 1 - Ross
2 SCS HCS HB 895 & HB 986, E.C. - Ostmann
3 HB 937, SCA 1 - Marshall (26
4 HB 956, SCA 1 - Van Zandt
5 HB 1086, SCA 1 - Fiebelman
6 HB 1093, SCA 1 - Foley
7 SCS HB 1097 - Hosmer
8 HB 1110, SCA 1 - Treadway
9 HB 1131, SCA 1 - Kreider
10 HB 1168, SCAs 1 and 2 E.C - Crum (112)
11 HB 1223, SCAs 1 and 2 - Marshall (133)
12 HB 1248, SCA 1 - Scheve
13 SCS HB 1304 - Hosmer
14 HB 1355, SCA 1 - O'Toole
15 HB 1359, SCA 1 - Green
16 SCS HB 1369 - Thomason (163)
17 SCS HB 1379 - Gross
18 HB 1400, SCA 1 - Lumpe
19 HB 1460, SCA 1 - Wiggins
20 SCS HB 1466 - Rizzo
21 SCS HB 1469, SPA 1 - Skaggs
22 SCS HB 1523 - Linton
23 HB 1554, SCA 1 - Richardson
24 HB 1601, SCA 1 - Backer
25 HB 1604, SCA 1 - Burton

BILLS CARRYING REQUEST MESSAGES

CCR#2 HCS SS SB 687, as amended, refuse to adopt req. Senate grant House further conference - Lumpe

BILLS IN CONFERENCE

SCS HCS HB 1002, as amended - Franklin

SCS HCS HB 1003, as amended - Franklin

SCS HCS HB 1004 - Green

SCS HCS HB 1005, as amended - Green

SCS HCS HB 1006, as amended - Tate

SCS HCS HB 1007 - Tate

SCS HCS HB 1008 - Franklin

SCS HCS HB 1009, as amended - Troupe

SCS HCS HB 1010, as amended - Carter

SCS HCS HB 1011 - Troupe

SCS HCS HB 1012 - Green

HCS SCS SB 657 - Legan

HCS SB 676 - Smith

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

COURTESY RESOLUTIONS

HR 816 - McClelland

HR 817 - Barry

HR 818 - Lakin

HR 819 - Klumb

HR 820 - Nordwald

HR 821 - Dougherty

HR 823 - Kelly (27)

HR 824 - Kelly (27)

HR 826 - Crum (112)

HR 827 - Ridgeway

HR 828 - Thomason (163)

HR 829 - Liese

HR 830 - Liese

HR 831 - Morgan

HR 832 - Hosmer

HR 833 - Surface

HR 834 - Boucher

HR 835 - Kissell

HR 836 - Lakin

HR 837 - Williams (121)

HR 838 - Klumb

HR 839 - Stoll

HR 841 - Kauffman

HR 842 - Graham

HR 843 - Pryor

HR 844 - Cooper

HR 845 - Vogel

HR 846 - Tate

HR 847 - Fitzwater

HR 848 - Long

HR 849 - Heckemeyer

HR 850 - Clayton

HR 851 - Crum (112)

HR 852 - Harlan

HR 853 - Lakin

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SIXTY-THIRD DAY, Thursday, April 25, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Carl R. Gauck, St. Paul Lutheran Church, Lohman, MO.

Gracious God, King of the Universe, we give you thanks for bringing us to the beginning of this day. We thank you for the varied opportunities we have had to serve you and your people already this day. We pray for your continual guidance in the various decisions we have to make. Let us always be mindful of your teaching through your prophets: to care for the poor, promote justice, and walk humbly with you always.

May all our actions, decisions and laws reflect this principle of living as your people. Watch over our travel this day; bring us safely to our homes and the people we love and represent. Guide our passage and give us joy and confidence in your continual presence and mercy, this we ask in you name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lathaniel Johnson, Sarah Whittaker, Lauren Moses, Tyler Stanley, Erin Atley, Nicole Baer, Jerry Nored, Brian Stewart, Ike Russell, Shaun Hill, Meg O'Brien, Matthew Goeke, Alex Whitehead, Jessica Engler,Uwe Peters, Dr. Juergen Keller, Joanna Chandler, Brook Harlan, Justin Boyd, Keith Kelley, Thomas McDaniel, Michele Scurry, Stacey Akins, Kebe Hamilton, Robert Alexander and Mary Barnes. .

The Journal of the sixty-second day was approved as corrected.

RESOLUTIONS

Representative Gaw offered House Resolution No. 815.

House Resolution No. 815

Whereas, upon occasion the members of the Missouri House of Representatives pause to recognize an individual whose steadfast commitment to duty has greatly enhanced the overall effectiveness of this august legislative body; and

Whereas, Mr. Clinton Jack Plympton of Jefferson City is leaving his important position as Reading Clerk for the Missouri House of Representatives; and

Whereas, Jack Plympton has proudly, ably, and faithfully fulfilled his numerous responsibilities as Reading Clerk for a period of five years; and

Whereas, during his tenure as Reading Clerk, Mr. Plympton earned a well-deserved reputation for the competent and efficient manner in which he rendered service as the "Voice of the House"; and

Whereas, Jack Plympton came to the House of Representatives with an impressive record of achievement that includes twenty-five years of experience in office management and fiscal administration of large corporate

and governmental agencies, twenty years of specialization in tourism and travel promotion, and fifteen years of experience in fraud crimes, burglary, robbery, and security special risk casualty and surety underwriting and investigations; and

Whereas, Mr. Plympton served the Missouri Division of Tourism as Assistant Director and as Acting Director, in which capacity he led this state's first International Trade Mission for Tourism to Great Britain in 1982; and

Whereas, Mr. Plympton also distinguished himself as Owner and Chief Executive Officer of Jefferson Travel Company, Inc.; as Owner and Chief Executive Officer of Mid America Adven Tours; and as Executive Vice President of the 150-member Missouri Motel and Resort Association:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, join unanimously in expressing sincere appreciation to Jack Plympton for his tireless endeavors on behalf of this legislative body and the entire Show-Me State; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Mr. Jack Plympton, as a mark of our esteem for him.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 815 was adopted by the following vote:

AYES: 158

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Ford	O'Neill	Ribaudo	Troupe

VACANCY: 001

Representative Barry, et al, offered House Resolution No. 854, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bennett offered House Resolution Nos. 855 and 856, which were referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 857, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution No. 858, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 859, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Koller and Montgomery offered House Resolution No. 860, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 861, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Scott and Long offered House Resolution Nos. 862 through 878, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Ross and Lograsso offered House Resolution No. 879, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ridgeway offered House Resolution Nos. 880 and 881, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelly (47) offered House Resolution Nos. 882 through 886, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Murray (135), Williams (121) and Jacob offered House Resolution Nos. 887 through 901, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 902, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Carter offered House Concurrent Resolution No. 13.

COURTESY RESOLUTIONS

House Resolution Nos. 816 through 821; House Resolution Nos. 823 and 824; House Resolution Nos. 826 through 839 and House Resolution Nos. 841 through 853 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 816 through 821; House Resolution Nos. 823 and 824; House Resolution Nos. 826 through 839 and House Resolution Nos. 841 through 853 were adopted.

SECOND READING OF SENATE BILLS

SS SCS SB 510, SCS SB 597 & 729, SCS SB 719 and **SS SB 981** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1199, 1357 & 1393**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HCS SS SB 687 as amended**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Goode, Lybyer, Schneider, Sims and Klarich.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SS SB 687: Representatives Lumpe, Days (71), Green, Secrest andead the second
McClelland

HOUSE BILLS WITH SENATE AMENDMENTS

HB 791, with Senate Committee Amendment No. 1, relating to student suspension hearings, was taken up by Representative Ross.

On motion of Representative Ross, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford	Levin	O'Neill	Ribaudo	Troupe

Ward

VACANCY: 001

On motion of Representative Ross, **HB 791, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler

124				
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Ford	Green	Hoppe	O'Neill
Ostmann	Ribaudo	Troupe	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Canuteson moved that motion lay on the table.

The latter motion prevailed.

SCS HCS HB 895 and HB 986, relating to school bus operator's permits, was taken up by Representative Ostmann.

Representative Ostmann moved that the House refuse to adopt **SCS HCS HB 895 and HB 986** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HB 937, with Senate Committee Amendment No. 1, relating to outdoor advertising, was taken up by Representative Marshall (26).

Representative Marshall (26) offered House Perfecting Amendment No. 1 to Senate Committee Amendment No. 1.

House Perfecting Amendment No. 1
to
Senate Committee Amendment No. 1

AMEND Senate Committee Amendment No. 1 to House Bill No. 937 by striking both occurrences in said amendment of "**, service organizations, veteran organizations**" and inserting in lieu of each occurrence the following: "**as defined in subdivision (11) of section 313.005, RSMo, service organizations as defined in subdivision (12) of section 313.005, RSMo, veterans' organizations as defined in subdivision (14) of section 313.005, RSMo,**".

On motion of Representative Marshall (26), House Perfecting Amendment No. 1 to Senate Committee Amendment No. 1 was adopted.

On motion of Representative Marshall (26), the House concurred in Senate Committee Amendment No. 1, as amended, by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

On motion of Representative Marshall (26), **HB 937, as amended,** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan

Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Crum (112) moved that motion lay on the table.

The latter motion prevailed.

HB 956, with Senate Committee Amendment No. 1, relating to Kansas City Board of Adjustment, was taken up by Representative Van Zandt.

On motion of Representative Van Zandt, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel

Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	Long	O'Neill
Ribaudo	Troupe	Ward		

VACANCY: 001

On motion of Representative Van Zandt, **HB 956, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	Lograsso	O'Neill
Ribaudo	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Farmer moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

HB 1086, with Senate Committee Amendment No. 1, relating to institutional vandalism, was taken up by Representative Fiebelman.

On motion of Representative Fiebelman, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

On motion of Representative Fiebelman, **HB 1086, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	

Hendrickson				
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon
104				
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams
121				
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

HB 1093, with Senate Committee Amendment No. 1, relating to fire protection district levies, was taken up by Representative Foley.

On motion of Representative Foley, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler
123				
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall
26				
Marshall 133	May 108	Mays 50	McBride	
McClelland				
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross

Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Ford	Hoppe	Keeven	O'Neill
Ribaudo	Troupe	Ward		

VACANCY: 001

On motion of Representative Foley, **HB 1093, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1097, relating to first responder programs, was taken up by Representative Hosmer.

Representative Hosmer moved that the House refuse to adopt **SCS HB 1097** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HB 1110, with Senate Committee Amendment No. 1, relating to accountants, was taken up by Representative Treadway.

On motion of Representative Treadway, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	Kelly 27	O'Neill
Ribaudo	Troupe	Ward		

VACANCY: 001

On motion of Representative Treadway, **HB 1110, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Mays (50) moved that motion lay on the table.

The latter motion prevailed.

HB 1131, with Senate Committee Amendment No. 1, relating to civil air patrol, was taken up by Representative Kreider.

On motion of Representative Kreider, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward

Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

On motion of Representative Kreider, **HB 1131, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Lumpe moved that the vote by which the bill passed be reconsidered.

Representative May (108) moved that motion lay on the table.

The latter motion prevailed.

HB 1168, with Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2, relating to peace officers Memorial Day, was taken up by Representative Crum (112).

On motion of Representative Crum (112), the House concurred in Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2 by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Hohulin	Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Treadway	Troupe	Ward		

VACANCY: 001

On motion of Representative Crum (112), **HB 1168, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 123

Alter	Auer	Backer	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Bland	Bonner	Boucher
Bray 84	Burton	Canuteson	Carter	Champion
Childers	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Dougherty	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Garnett	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hickey	Hosmer
Howerton	Jacob	Kasten	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie

Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Overschmidt	Pauley	Prost	Pryor
Relford	Reynolds	Rizzo	Ross	Scheve
Schilling	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Wannenmacher	Whiteside	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 032

Akin	Ballard	Boatright	Broach	Brown
Chrismer	Cierpiot	Donovan	Edwards-Pavia	Elliott
Evans	Foster	Froelker	Gaskill	Gross
Hegeman	Hendrickson	Hohulin	Kauffman	Legan
Lograsso	Marble	Ostmann	Pouche	Richardson
Ridgeway	Robirds	Sallee	Schwab	Shields
Vogel	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

On motion of Representative Hickey, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

HB 1223, with Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2, relating to sales and use tax, was taken up by Representative Marshall (133).

On motion of Representative Marshall (133), the House concurred in Senate Committee Amendment No. 1 and Senate Committee Amendment No. 2 by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan

Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Clayton	Farmer	Ford	Hoppe	Keeven
O'Neill	Ribaudo	Troupe	Ward	

VACANCY: 001

On motion of Representative Marshall (133), **HB 1223, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Bland moved that the vote by which the bill passed be reconsidered.

Representative Pauley moved that motion lay on the table.

The latter motion prevailed.

HB 1248, with Senate Committee Amendment No. 1, relating to historic site, was taken up by Representative Scheve.

On motion of Representative Scheve, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

On motion of Representative Scheve, **HB 1248, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward

Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Franklin moved that the vote by which the bill passed be reconsidered.

Representative Garnett moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1304, relating to emergency telephone numbers, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SCS HB 1304** was adopted by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann

Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Ford	Keeven	O'Neill	Ribaudo	Thompson 37
Troupe	Ward			

VACANCY: 001

On motion of Representative Hosmer, **SCS HB 1304** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Kreider

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Crump (152) moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HB 1355, with Senate Committee Amendment No. 1, relating to actuarial reports, was taken up by Representative O'Toole.

On motion of Representative O'Toole, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

On motion of Representative O'Toole, **HB 1355, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper

Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

HB 1359, with Senate Committee Amendment No. 1, relating to leasing of state property, was taken up by Representative Green.

On motion of Representative Green, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin

Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Brown	Hartzler 124

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

On motion of Representative Green, **HB 1359, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Ford	Gratz	Hoppe	Keeven	O'Neill
Ribaudo	Thompson 37	Troupe	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Sheldon (104), title to the bill was agreed to.

Representative Shear (83) moved that the vote by which the bill passed be reconsidered.

Representative Shelton (57) moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1369, relating to emergency vehicles, was taken up by Representative Thomason (163).

On motion of Representative Thomason (163), **SCS HB 1369** was adopted by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Ford	Hoppe	Keeven	Kelly 27	Marshall 133
O'Neill	Ribaudo	Thompson 37	Troupe	Ward

VACANCY: 001

On motion of Representative Thomason (163), **SCS HB 1369** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Garnett, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1379, relating to social security numbers, was taken up by Representative Gross.

On motion of Representative Gross, **SCS HB 1379** was adopted by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-

Harrell				
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	
Luetkenhaus				
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

NOES: 004

Clayton	Days	Kelly 27	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

On motion of Representative Gross, **SCS HB 1379** was truly agreed to and finally passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	
Luetkenhaus				
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

NOES: 004

Clayton	Days	Kelly 27	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Foley, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Davis moved that motion lay on the table.

The latter motion prevailed.

HB 1400, with Senate Committee Amendment No. 1, relating to state employee health care, was taken up by Representative Lumpe.

On motion of Representative Lumpe, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

On motion of Representative Lumpe, **HB 1400, as amended,** was truly agreed to and finally passed by the

following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	Kelly 27	O'Neill
Ribaudo	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Rizzo moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

HB 1460, with Senate Committee Amendment No. 1, relating to emergency telephone services, was taken up by Representative Wiggins.

On motion of Representative Wiggins, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis

Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Ballard	Ford	Hoppe	Keeven	Kelly 27
Leake	O'Neill	Ribaudo	Troupe	Ward

VACANCY: 001

On motion of Representative Wiggins, **HB 1460, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen

Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	Kelly 27	O'Neill
Ribaudo	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Lakin, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Koller moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1469, with Senate Perfecting Amendment No. 1, relating to property tax, was taken up by Representative Skaggs.

On motion of Representative Skaggs, the House concurred in Senate Perfecting Amendment No. 1 and adopted **SCS HB 1469, as amended**, by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Hoppe	Keeven	Kelly 27	O'Neill	Ribaudo
Troupe	Ward			

VACANCY: 001

On motion of Representative Skaggs, **SCS HB 1469, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Hoppe	Keeven	Kelly 27	O'Neill
Ribaudo	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1523, relating to student records, was taken up by Representative Linton.

On motion of Representative Linton, **SCS HB 1523** was adopted by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland

Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Hoppe	Keeven	Kelly 27	Murphy	O'Neill
Ribaudo	Thompson 37	Troupe	Ward	Whiteside

VACANCY: 001

On motion of Representative Linton, **SCS HB 1523** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross

Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher 159	Wieland	Wiggins	Williams 121	Williams
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Farmer	Hoppe	Keeven	Kelly 27	O'Neill
Ribaudo	Troupe	Ward	Whiteside	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Crum (112), title to the bill was agreed to.

Representative Farnen moved that the vote by which the bill passed be reconsidered.

Representative Fiebelman moved that motion lay on the table.

The latter motion prevailed.

SCS HB 1466, relating to sales/use tax, was taken up by Representative Rizzo.

Representative Rizzo moved that the House refuse to adopt **SCS HB 1466** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HB 1554, with Senate Committee Amendment No. 1, relating to small claims court, was taken up by Representative Richardson.

On motion of Representative Richardson, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163

Thompson 37	Treadway	Van Zandt	Vogel	Wannenmacher
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Brown	Dougherty

PRESENT: 000

ABSENT WITH LEAVE: 008

Hoppe	Keeven	Kelly 27	O'Neill	Ribaudo
Troupe	Ward	Whiteside		

VACANCY: 001

On motion of Representative Richardson, **HB 1554, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Hoppe	Keeven	Kelly 27	O'Neill	Ribaudo
Troupe	Ward	Whiteside		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

HB 1601, with Senate Committee Amendment No. 1, relating to conveyance of property, was taken up by Representative Backer.

On motion of Representative Backer, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Ballard	Hoppe	Keeven	Kelly 27	Long
O'Neill	Ribaudo	Thompson 37	Troupe	Ward

Whiteside

VACANCY: 001

On motion of Representative Backer, **HB 1601, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster

Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	
Griesheimer				
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Levin	Liese	Linton	Lograsso
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Legan

PRESENT: 000

ABSENT WITH LEAVE: 008

Hoppe	Keeven	Long	O'Neill	Ribaudo
Thompson 37	Troupe	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Prost moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

HB 1604, with Senate Committee Amendment No. 1, relating to conveyance of property, was taken up by Representative Burton.

On motion of Representative Burton, the House concurred in Senate Committee Amendment No. 1 by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47

Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Keeven	O'Neill	Ribaudo	Thompson 37	Troupe

Ward

VACANCY: 001

On motion of Representative Burton, **HB 1604, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Keeven	O'Neill	Ribaudo	Thompson 37	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative O'Toole, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILL - INFORMAL

HCS HB 1172, with HS, as amended, pending, relating to sales and use tax, was again taken up by Representative Jacob.

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Goward	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Montgomery	Morgan	Murray 69
O'Connor	O'Toole	Overschmidt	Pauley	Prost
Relford	Reynolds	Rizzo	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith 163	Stokan	Stoll	Tate	Thomason
Thompson 37	Treadway	Van Zandt	Wiggins	Williams 121
Williams 159	Witt	Mr. Speaker		

NOES: 074

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer 123	Gross	Hall	Hand	Hartzler
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Kelley 47	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	McClelland	Mitchell	Murphy	Murray 135
Naeger	Nordwald	Oetting	Ostmann	Pouche
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Sombart	Steen	Summers	Surface	Vogel
Wannenmacher	Whiteside	Wieland	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 005

Keeven	O'Neill	Ribaudo	Troupe	Ward

VACANCY: 001

On motion of Representative Jacob, **HS HCS HB 1172, as amended**, was adopted.

On motion of Representative Jacob, **HS HCS HB 1172, as amended,** was ordered perfected and printed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 001

Marshall 133

PRESENT: 000

ABSENT WITH LEAVE: 005

Keeven	O'Neill	Ribaudo	Troupe	Ward

VACANCY: 001

PERFECTION OF HOUSE BILLS

HCS HBs 987, 1155, 1158 and 1219, as amended, relating to income tax, was again taken up by Representative Jacob.

Representative Jacob offered **HS HCS HBs 987, 1155, 1158 and 1219.**

Representative Lograsso raised a point of order that **HS HCS HBs 987, 1155, 1158 and 1219,** had not been on the members' desks for twenty-four hours.

The Chair ruled the point of order well taken.

HCS HBs 987, 1155, 1158 and 1219, as amended, was laid over.

HCS HB 1588, relating to Mississippi River Parkway Commission, was taken up by Representative Overschmidt.

Representative Overschmidt offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for House Bill No. 1588, Page 2, Section 226.445, Line 20, by inserting after all of said line the following: "**Nothing in this section shall be construed to mandate the attendance of any ex officio members to any commission meeting or commission- related function. All costs associated with travel of any ex officio member to any commission meeting or any commission-related function shall be paid from the existing budget of the department represented by the ex officio member. No funds of the Mississippi River parkway commission shall be used to pay the costs associated with such travel by any ex officio member.**".

On motion of Representative Overschmidt, House Amendment No. 1 was adopted.

Representative Wannenmacher offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1588, Page 1, by amending the Title by removing the words "[Mississippi River]" and inserting the words "Samuel Clemens River".

HCS HB 1588, as amended, with House Amendment No. 2, pending, was laid over.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 952**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1237 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Civil and Criminal law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SB 842**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill 842, Page 1, Section 544.159, line 9 by deleting the words "making an arrest or"

Further amend said bill by deleting all of lines 11 thru 14.

Further amend said bill by renumbering the remaining subsections. Line 15 becomes subsection (1), and line 19 becomes subsection (2).

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SCS SB 708**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Insurance, Chairman Auer reporting:

Mr. Speaker: Your Committee on Insurance, to which was referred **SCS SB 759**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SJR 29**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SB 506 - Budget (Fiscal Note)

SS SCS 507 - Budget (Fiscal Note)

SS SCS SB 795, 542 and 563 - Budget (Fiscal Note)

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 12**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to

recede from its position on **SCS HCS HB 895 & HB 986** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Ehlmann, House, Rohrbach, Mathewson and Caskey.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1097** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 1466** and grants the House a conference thereon.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HB 1097: Representatives Hosmer, Schilling, Smith, Wooten and Murray:

(135)
SCS HB 1466: Representatives Rizzo, Crump, Fitzwater, Legan and Elliott
SCS HCS HBs 895 and 986: Representatives Ostmann, Luetkenhaus, Kissell,:

Dougherty and McClelland

The following member's presence was noted: Ribaudo.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 4:00 p.m., Monday, April 29, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Second Day, Wednesday, April 24, 1996, page 9, line 8, by deleting the word "peach" and inserting in lieu thereof the word "peace".

Page 4, roll call, by showing Representatives Smith and Franklin voting "aye" rather than "absent with leave".

Pages 19 and 20, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

Page 21, roll call, by showing Representative Hickey voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Monday, April 29, 1996, 1:30 pm. Hearing Room 9. Possible executive session. Amended Notice

To be considered - SB 500, SB 757

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 30, 1996, 9:00 am. Hearing Rooms 1 and 2.

To be considered - Executive Session - SB 572

JOINT SUB-COMMITTEE ON TRANSPORTATION

Monday, April 29, 1996, 7:30 pm. Hearing Room 9. Branson Highroad Project.

JUDICIARY AND ETHICS

Tuesday, April 30, 1996. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - SB 869, SB 884

MISCELLANEOUS BILLS AND RESOLUTIONS

Monday, April 29, 1996, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - HR 791, HR 822, HR 825

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 30, 1996, 8:00 am. Hearing Rooms 3 & 4. Executive session may follow.

To be considered - SB 838

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Monday, April 29, 1996, 8:00 pm. Hearing Room 7.

To be considered - Executive Session - HB 1647, Executive Session - SB 722,

Executive Session - SB 659

SUB-COMMITTEE ON ENERGY & ENVIRONMENT

Monday, April 29, 1996, 2:30 pm. Room 114A. Work session.

To be considered - SB 538

TRAVEL COMMITTEE

Monday, April 29, 1996, 2:30 pm. Hearing Room 5. Cancelled

HOUSE CALENDAR

SIXTY-FOURTH DAY, MONDAY, APRIL 29, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 1149,1150 & 1240 - Jacob
2 HCS HB 987, 1155, 1158 & 1219, as amended - Jacob
3 HCS HB 1403 - Dougherty
4 HCS HB 1588, as amended, HA 2, pending - Overschmidt
5 HB 944, HCA 1 - Smith
6 HB 1154 - Murray (69)
7 HCS HB 1540 - Green
8 HB 993 - Williams (121)
9 HB 854 - Bland
10 HB 1312 - Tate
11 HCS HB 843 - Daniels (41)
12 HB 1133 - Witt
13 HB 855 - Bland
14 HCS HB 830 & 1082 - Carter
15 HB 1228, HCA 1 - Harlan
16 HB 1279 - Tate
17 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
18 HCS HB 829 & 1254 - May (108)
19 HB 1414, HCA 1 - Smith
20 HCS HB 960 - Rizzo
21 HB 1436, HCA 1 - Dougherty
22 HB 1399, HCA 1 - Leake
23 HCS HB 1112 - Koller
24 HCS HB 1204 - Wiggins
25 HB 816, HCA 1 - Backer
26 HCS HB 961 - Boucher
27 HB 1535 - Kissell
28 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
29 HCS HB 1429 - Liese
30 HCS HB 1143 - Witt
31 HB 856, HCA 1 - Bland
32 HB 1310 - Tate
33 HCS HB 1175, 1120 & 797 - Gratz
34 HCS HB 912 & 1108 - Treadway
35 HB 1579, HCA 1 - Skaggs
36 HB 1562 - Witt
37 HCS HB 1374 - Scheve
38 HB 801, HCA 1 - Schilling
39 HB 1443, HCA 1, HCA 2 - Prost
40 HB 1289 - Liese
41 HCS HB 1278 & 1277 - May (108)
42 HB 1590, HCA 1 - Harlan
43 HB 1145 - Shear (83)
44 HCS HB 1115 - Montgomery
45 HCS HB 1206 & 1484 - Hosmer
46 HB 1575 - Loudon
47 HB 1180 - Williams (159)
48 HB 1080, HCA 1 - Troupe
49 HCS HB 1430 & 1165 - Hosmer

50 HCS HB 1000 - Treadway
51 HCS HB 840 & 841 - Luetkenhaus
52 HB 833, HCA 1 - Dougherty
53 HCS HB 1465 - Hoppe
54 HB 1245 - Farmer
55 HCS HB 867, 893 & 1401 - Morgan
56 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HS HCS HB 1237 - Rizzo

HS HCS HB 1199, 1357 & 1393 - Reynolds

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 32 - Rizzo

SENATE BILLS FOR THIRD READING

1 SB 858 - Carter
2 HCS SB 715 - Overschmidt
3 SB 854 - Backer
4 HCS SCS#2 SB 860, E.C. - Hagan-Harrell
5 SS SCS SB 507, (Budget Fiscal 4-25-96) - Mays (50)
6 HCS SS SCS SB 795,542 & 563, (Budget Fiscal 4-25-96) - Stoll
7 SB 578 - Witt
8 SB 506, (Budget Fiscal 4-25-96) - McBride
9 SS SB 521, HCA 1, E.C. - Tate
10 HCS SB 683 - Leake
11 SB 703 - McLuckie
12 HCS SB 780 - Koller

SENATE BILL FOR THIRD READING - INFORMAL

SB 803 - Witt

BILLS IN CONFERENCE

1 SCS HCS HB 1002, as amended - Franklin
2 SCS HCS HB 1003, as amended - Franklin
3 SCS HCS HB 1004 - Green
4 SCS HCS HB 1005, as amended - Green
5 SCS HCS HB 1006, as amended - Tate
6 SCS HCS HB 1007 - Tate
7 SCS HCS HB 1008 - Franklin
8 SCS HCS HB 1009, as amended - Troupe
9 SCS HCS HB 1010, as amended - Carter
10 SCS HCS HB 1011 - Troupe
11 SCS HCS HB 1012 - Green
12 HCS SCS SB 657 - Legan
13 HCS SB 676 - Smith
14 HCS SS SB 687, as amended - Lumpe
15 SCS HCS HB 895 & HB 986, E.C. - Ostmann
16 SCS HB 1097 - Hosmer
17 SCS HB 1466 - Rizzo

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

SENATE CONCURRENT RESOLUTIONS

SCR 18, (1-30-96, pgs. 2 & 3) - Thompson (37)

SCR 24, (3-7-96, pgs. 27 & 28) - Prost

SCR 19, (2-27-96, pgs. 9 & 10) - Montgomery

SCR 25, (4-10-96, pg. 39) - Crump (152)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SIXTY-FOURTH DAY, Monday, April 29, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Carl R. Gauck, S.T.M.

Gracious and Heavenly Father, King of the Universe, we thank you for bringing us to the beginning of this day and safely riding with us as we traveled to be here. We thank you for having given us the opportunity to serve you through the people we have met and the meetings we have attended. We pray be with us as time seems to be compressing; help us to find ways to deal with the stress of long hours and onslaught of information and legislation. Give us wisdom and your guidance during these closing weeks and the decisions that have to be made and the impact and implications of each bill. Strengthen us and help us as we seek to serve our people by first serving you and by being servants to all. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mary Sloan Pleus, Samantha Wagoner, Ashley Kohlbaker, Mike Schlueter, Samantha Britton, Jakob Lewis, Michelle Maples, Brett Wilcox, Heather Robison, Rachel Keppel, Katie Pfenning, Jessica Zieger, Carolyn Wagner, Chelsie Gillispie, Darcy Criss, Joseph Brown, Joshua Brown and Marty Moss.

The Journal of the sixty-third day was approved as corrected by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	

McClelland				
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton
57				
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr.
Speaker				

NOES: 002

Jacob	Pryor

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniel 42	Gaskill	Goward	Ribaudo	Wiggins

VACANCY: 001

RESOLUTIONS

Representative Farmer offered House Resolution No. 903, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135), et al, offered House Resolution Nos. 904 through 918, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lograsso offered House Resolution Nos. 919 through 921, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135), et al, offered House Resolution Nos. 922 through 936, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Treadway and Hendrickson offered House Resolution No. 937, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pauley offered House Resolution Nos. 938 and 939, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 940, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sombart offered House Resolution No. 941, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Evans offered House Resolution No. 942, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 943, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Loudon offered House Resolution No. 944, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135) offered House Resolution Nos. 945 through 968, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 766, HB 819, HB 823, HB 929, HB 941, HB 980, HB 1076, HB 1117, HB 1123, HB 1166, HB 1171, HB 1208, HB 1217, HB 1221, HB 1260, HB 1286, HB 1315, HB 1346, HB 1404, HB 1419, HB 1431, HB 1440, HB 1441, HB 1473, HB 1477, HB 1504, HB 1541, HB 1566, HB 1598, HB 1610 and HB 1619**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1172**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

THIRD READING OF HOUSE BILLS

HS HCS HB 1237, relating to economic development, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **HS HCS HB 1237** was read the third time and passed by the following vote:

AYES: 130

Alter	Auer	Backer	Barry 100	Bartelsmeyer
Bennett 15	Bland	Bonner	Boucher	Bray 84
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Levin	Liese
Lograsso	Luetkenhaus	Lumpe	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Scheve	Schwab	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 027

Akin	Ballard	Barnett 4	Boatright	Enz
Evans	Froelker	Garnett	Gibbons	Hegeman
Hohulin	Keeven	Legan	Linton	Long
Loudon	Marble	Marshall 26	Marshall 133	Murphy
Pryor	Ridgeway	Sallee	Schilling	Scott
Secrest	Steen			

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniel 42	Gaskill	Goward	Ribaudo	Wiggins

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Crump (152) moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

HS HCS HBs 1199, 1357 and 1393, relating to law enforcement powers, was taken up by Representative Reynolds.

On motion of Representative Reynolds, **HS HCS HBs 1199, 1357 and 1393** was read the third time and passed by

the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Froelker	Garnett	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Relford
Reynolds	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 011

Days	Foster	Gunn	Harlan	Kelly 27
Lumpe	Marshall 26	Murphy	Pauley	Thompson 37
Troupe				

PRESENT: 000

Sixty-fourth Day-April 29, 1996

ABSENT WITH LEAVE: 008

Daniel 42	Ford	Gaskill	Goward	Jacob
Ribaudo	Richardson	Wiggins		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Fitzwater, title to the bill was agreed to.

Representative Farmer moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

PERFECTION OF HOUSE BILLS

HCS HB 1588, **as amended, with House Amendment No. 2, pending**, relating to Mississippi River Parkway Commission, was again taken up by Representative Overschmidt.

Representative Hohulin offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for House Bill No. 1588, by deleting the words "Sam Clemens" and inserting in lieu thereof the words "Mark Twain"

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Gratz	Green	Gunn	Hagan-Harrell
Harlan	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Liese	Luetkenhaus
Lumpe	Marshall 26	May 108	Mays 50	McBride
McLuckie	Montgomery	Morgan	Murray 69	O'Connor
O'Neill	O'Toole	Overschmidt	Pauley	Prost
Relford	Reynolds	Rizzo	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Stokan	Stoll	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Ward
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 074

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Gibbons	Graham	Griesheimer
Gross	Hall	Hand	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	McClelland	Mitchell	Murphy	Murray 135
Naeger	Nordwald	Oetting	Ostmann	Pouche
Pryor	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Shields
Sombart	Steen	Summers	Surface	Vogel
Wannenmacher	Whiteside	Wieland	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 004

Gaskill	Goward	Ribaudo	Wiggins

VACANCY: 001

Representative Hohulin moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated.

House Amendment No. 2 was withdrawn.

On motion of Representative Overschmidt, **HCS HB 1588, as amended,** was adopted.

On motion of Representative Overschmidt, **HCS HB 1588, as amended,** was ordered perfected and printed.

HCS HBs 1149, 1150 and 1240, relating to excursion gambling boats, was taken up by Representative Jacob.

Representatiave Jacob offered **HS HCS HBs 1149, 1150 and 1240**.

Representative Jacob offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1149, 1150 and 1240, Pages 1 through 28, Sections 313.800, 313.805, 313.807, 313.812, 313.817, 313.835, 313.842 and 434.030, by deleting all of said sections and inserting in lieu thereof the following:

"**43.351. Notwithstanding the provisions of subsection 1 of section 43.025, RSMo, the Missouri state highway patrol is hereby authorized to establish a "Division of Gaming", provided that the Missouri state highway patrol has entered into an agreement with the Missouri gaming commission pursuant to subsection 9 of section 313.004, RSMo, to enforce the provision of section 313.005 to 313.080, RSMo, and section 313.500 to 313.710, RSMo, and section 313.800 to 313.850, RSMo.**

Section 1. For purposes of sections 99.460 and 353.130, RSMo, on projects related to any riverfront development designed to acquire or enhance the location of any excursion gambling boat licensed under the provision of section 313.800 to 313.850, RSMo, an authority or urban redevelopment corporation shall have no right to acquire any real property by exercise of the power of eminent domain."

Further amend said bill by enacting the title and enacting clause accordingly.

Representative Lograsso raised a point of order that House Amendment No. 1 is not a true amendment.

Representative Shields raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the points of order not well taken.

Representative Akins offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Wannenmacher requested a division of the question.

House Amendment No. 1

Part I

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1149, 1150 and 1240, Pages 1 through 28, Sections 313.800, 313.805, 313.807, 313.812, 313.817, 313.835, 313.842 and 434.030, by deleting all of said sections and inserting in lieu thereof the following:

"**43.351. Notwithstanding the provisions of subsection 1 of section 43.025, RSMo, the Missouri state highway patrol is hereby authorized to establish a "Division of Gaming", provided that the Missouri state highway patrol has entered into an agreement with the Missouri gaming commission pursuant to subsection 9 of section 313.004, RSMo, to enforce the provision of section 313.005 to 313.080, RSMo, and section 313.500 to 313.710, RSMo, and section 313.800 to 313.850, RSMo.**

Further amend said bill by enacting the title and enacting clause accordingly.

On motion of Representative Jacob, Part I of House Amendment No. 1 was adopted.

House Amendment No. 1

Part II

AMEND House Substitute for House Committee Substitute for House Bill Nos. 1149, 1150 and 1240, Pages 1 through 28, Sections 313.800, 313.805, 313.807, 313.812, 313.817, 313.835, 313.842 and 434.030, by deleting all of said sections and inserting in lieu thereof the following:

Section 1. For purposes of sections 99.460 and 353.130, RSMo, on projects related to any riverfront development designed to acquire or enhance the location of any excursion gambling boat licensed under the provision of section 313.800 to 313.850, RSMo, an authority or urban redevelopment corporation shall have no right to acquire any real property by exercise of the power of eminent domain."

Further amend said bill by enacting the title and enacting clause accordingly.

On motion of Representative Jacob, Part II of House Amendment No. 1 was adopted.

Representative Witt offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Montgomery offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

HCS HBs 1149, 1150 and 1240, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 1097**: Senators Bentley, Moseley, Scott, Sims and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 1466**: Senators DePasco, Johnson, Mathewson, Westfall and Mueller.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 13 - Municipal Corporations

REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

HS HCS HB 1172 - Budget (Fiscal Note)

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SS SCS SB 510 - Motor Vehicle and Traffic Regulations

SCS SB 597 & 729 - Insurance

SCS SB 719 - Local Government and Related Matters

SB 903 - Labor

COMMITTEE REPORT

Committee on State Parks, Recreation and Natural Resources, Chairman McBride reporting:

Mr. Speaker: Your Committee on State Parks, Recreation and Natural Resources, to which was referred **SB 661**, begs leave to report it has examined the same and recommends that it **Do Pass.**

WITHDRAWAL OF HOUSE RESOLUTIONS

April 25, 1996

The Honorable Steve Gaw

Speaker of the House

Missouri House of Representatives

Dear Steve,

This is to withdraw my requests for House Resolutions 822 and 825 which were submitted last week. The event has passed for which I was requesting the resolutions. Fortunately, the Senate resolutions were able to be processed in time for our presentation.

Thank you for your consideration of my request.

Respectfully submitted,

/s/ Pat Secrest - 93

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, April 30, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Third Day, Thursday, April 25, 1996, pages 4 and 5, roll call, by showing Representative Levin voting "aye" rather than "absent with leave".

Page 12, roll call, by showing Representative Brown voting "aye" rather than "absent with leave".

Pages 14, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 28 and 29, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 34, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 34 and 35, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 35 and 36, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 36 and 37, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 37 and 38, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 39 and 40, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 41, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, May 1, 1996, 1:00 pm. Hearing Room 8.

To be considered - SCR 26

CHILDREN, YOUTH, AND FAMILIES

Wednesday, May 1, 1996, 8:30 am. Hearing Room 5.

To be considered - Executive Session - SB 569, Executive Session - SB 488

EDUCATION - ELEMENTARY AND SECONDARY

Tuesday, April 30, 1996, 9:00 am. Hearing Rooms 1 and 2.

To be considered - Executive Session - SB 572

INSURANCE

Tuesday, April 30, 1996, 9:00 am. Hearing Room 5. Executive session may follow.

To be considered - SB 597

JUDICIARY AND ETHICS

Tuesday, April 30, 1996. Hearing Room 5 upon morning adjournment.

Executive session may follow.

To be considered - SB 869, SB 884

LABOR

Tuesday, April 30, 1996, 8:00 pm. Hearing Room 8. Executive session to follow.

To be considered - SB 903

LOCAL GOVERNMENT AND RELATED MATTERS

Tuesday, April 30, 1996. Hearing Room 8 upon morning adjournment.

Executive Session

To be considered - SB 719

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, April 30, 1996, 8:00 am. Hearing Rooms 3 & 4. Executive session may follow.

To be considered - SB 838

HOUSE CALENDAR

HOUSE BILLS FOR PERFECTION

1 HCS HB 1149,1150 & 1240, HS, as amended, - Jacob
2 HCS HB 987, 1155, 1158 & 1219, as amended - Jacob
3 HCS HB 1403 - Dougherty
4 HB 944, HCA 1 - Smith
5 HB 1154 - Murray (69)
6 HCS HB 1540 - Green
7 HB 993 - Williams (121)
8 HB 854 - Bland
9 HB 1312 - Tate
10 HCS HB 843 - Daniels (41)
11 HB 1133 - Witt
12 HB 855 - Bland
13 HCS HB 830 & 1082 - Carter
14 HB 1228, HCA 1 - Harlan
15 HB 1279 - Tate
16 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
17 HCS HB 829 & 1254 - May (108)
18 HB 1414, HCA 1 - Smith
19 HCS HB 960 - Rizzo
20 HB 1436, HCA 1 - Dougherty
21 HB 1399, HCA 1 - Leake
22 HCS HB 1112 - Koller
23 HCS HB 1204 - Wiggins
24 HB 816, HCA 1 - Backer
25 HCS HB 961 - Boucher
26 HB 1535 - Kissell
27 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
28 HCS HB 1429 - Liese
29 HCS HB 1143 - Witt
30 HB 856, HCA 1 - Bland
31 HB 1310 - Tate
32 HCS HB 1175, 1120 & 797 - Gratz
33 HCS HB 912 & 1108 - Treadway
34 HB 1579, HCA 1 - Skaggs
35 HB 1562 - Witt
36 HCS HB 1374 - Scheve
37 HB 801, HCA 1 - Schilling
38 HB 1443, HCA 1, HCA 2 - Prost
39 HB 1289 - Liese
40 HCS HB 1278 & 1277 - May (108)
41 HB 1590, HCA 1 - Harlan
42 HB 1145 - Shear (83)
43 HCS HB 1115 - Montgomery
44 HCS HB 1206 & 1484 - Hosmer
45 HB 1575 - Loudon
46 HB 1180 - Williams (159)
47 HB 1080, HCA 1 - Troupe
48 HCS HB 1430 & 1165 - Hosmer
49 HCS HB 1000 - Treadway
50 HCS HB 840 & 841 - Luetkenhaus
51 HB 833, HCA 1 - Dougherty
52 HCS HB 1465 - Hoppe
53 HB 1245 - Farmer
54 HCS HB 867, 893 & 1401 - Morgan
55 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS,as amended - Shelton (57)

HOUSE BILL FOR THIRD READING

HS HCS HB 1172, E.C. (Budget Fiscal 4-29-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 32 - Rizzo

SENATE BILLS FOR THIRD READING

1 SB 858 - Carter
2 HCS SB 715 - Overschmidt
3 SB 854 - Backer
4 HCS SCS#2 SB 860, E.C. - Hagan-Harrell
5 SS SCS SB 507, (Budget Fiscal 4-25-96) - Mays (50)
6 HCS SS SCS SB 795,542 & 563, (Budget Fiscal 4-25-96) - Stoll
7 SB 578 - Witt
8 SB 506, (Budget Fiscal 4-25-96) - McBride
9 SS SB 521, HCA 1, E.C. - Tate
10 HCS SB 683 - Leake
11 SB 703 - McLuckie
12 HCS SB 780 - Koller

SENATE BILL FOR THIRD READING - INFORMAL

SB 803 - Witt

BILLS IN CONFERENCE

1 SCS HCS HB 1002, as amended - Franklin
2 SCS HCS HB 1003, as amended - Franklin
3 SCS HCS HB 1004 - Green
4 SCS HCS HB 1005, as amended - Green
5 SCS HCS HB 1006, as amended - Tate
6 SCS HCS HB 1007 - Tate
7 SCS HCS HB 1008 - Franklin
8 SCS HCS HB 1009, as amended - Troupe
9 SCS HCS HB 1010, as amended - Carter
10 SCS HCS HB 1011 - Troupe
11 SCS HCS HB 1012 - Green
12 HCS SCS SB 657 - Legan
13 HCS SB 676 - Smith
14 HCS SS SB 687, as amended - Lumpe
15 SCS HCS HB 895 & HB 986, E.C. - Ostmann
16 SCS HB 1097 - Hosmer
17 SCS HB 1466 - Rizzo

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

SENATE CONCURRENT RESOLUTIONS

SCR 18, (1-30-96, pgs. 2 & 3) - Thompson (37)

SCR 24, (3-7-96, pgs. 27 & 28) - Prost

SCR 19, (2-27-96, pgs. 9 & 10) - Montgomery

SCR 25, (4-10-96, pg. 39) - Crump (152)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

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Second Regular Session, 88th General Assembly

SIXTY-FIFTH DAY, Tuesday, April 30, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"All depend on You to give them food when they need it, You give it to them and they eat it; You provide food and they are satisfied." (Ps. 104:27).

Our thoughts turn this morning to the earth, yesterday's reports of widespread drought in the mid-west and the recent heavy rains do not do much to help the spirits of our farmers and gardeners and all of us who consume their produce. We pray to you, the Lord of the earth, for the spirit of courage and strength of character which our farmers need. In these changing times, we pray for those involved in decisions at the federal level about the relationship between government and the farming industry and for disputes involving the farming industry and the rest of our lives as citizens, including the repeal of the sales tax. May a spirit of fairness and cooperation and a keen sense of the common good inspire all that we are about. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chris Combellick, David Robertson, Katie Browning, Lindsay Garrison, Robert Latta, Kristen Tippitt, Bridget Pipes, Ryan Porter, Margaret Lee, Nina Jordan, Justin Powell, Kasey Lattice Davis, Brittany Beczkala, Brianne Girse, Nik Girse, Yusif Babanly, Brennan Elizabeth Canuteson and Natalie Ann Canuteson.

The Journal of the sixty-fourth day was approved as corrected by the following vote:

AYES: 126

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Broach	Brown	Burton	Canuteson	Carter
Chrismer	Cierpiot	Cooper	Crum 112	Daniels
41				
Davis	Days	Donovan	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Green	
Griesheimer				
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Klumb	Koller	Lakin	Legan	Levin
Liese	Linton	Lograsso	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50

McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Overschmidt	Pauley
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Sheldon 104	Shelton 57	Shields	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Ward	Wieland	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 036

Akin	Bonner	Boucher	Bray 84	Champion
Childers	Clayton	Copeland	Crump 152	Daniel 42
Dougherty	Edwards-Pavia	Foley	Goward	Gratz
Gunn	Heckemeyer	Kelly 27	Kreider	Leake
Long	Loudon	Murray 69	Murray 135	Ostmann
Pouche	Ribaudo	Sallee	Shear 83	Skaggs
Steen	Vogel	Wannenmacher	Whiteside	Wiggins

Witt

VACANCY: 001

RESOLUTIONS

Representatives Liese and Lakin offered House Resolution No. 969, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marble offered House Resolution Nos. 970 through 972, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 973, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135), et al, offered House Resolution Nos. 974 through 983, which were referred to the Committee on Miscellaneous Bills and Resolutions.

PERFECTION OF HOUSE BILLS

HCS HBs 1149, 1150 and 1240, **with HS, as amended, pending**, relating to excursion gambling boats, was again taken up by Representative Jacob.

Representative Akin offered House Amendment No. 2.

Representative Jacob raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Akin appealed the ruling of the Chair.

The ruling of the Chair was sustained by the following vote:

AYES: 082

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Garnett
Gratz	Green	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kelly 27	Kissell	Klumb	Koller	Kreider
Leake	Liese	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	Overschmidt

Pauley	Prost	Relford	Reynolds	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Ward	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 075

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	McClelland	Mitchell	Murphy
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Shields	Sombart	Steen	Summers	Surface
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 005

Ford	Goward	Lakin	Luetkenhaus	Ribaudo

VACANCY: 001

Representative Witt offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1149, 1150 and 1240, by adding at the end of said substitute the following:

"43.050. 1. The superintendent may appoint not more than twenty-two captains and one director of radio, each of whom shall have the same qualifications as the superintendent, nor more than forty-six lieutenants, and such additional force of sergeants, corporals and patrolmen so that the total number of members of the patrol shall not exceed nine hundred forty officers and patrolmen and such numbers of radio personnel as he deems necessary.

2. In case of a national emergency the superintendent may name additional patrolmen and radio personnel in a number sufficient to replace, temporarily, patrolmen and radio personnel called into military services.

3. Members of the patrol hired in conjunction with any agreement with the Missouri gaming commission shall not be subject to the personnel cap referenced in subsection 1 of this section. If such agreement is subsequently terminated or modified to reduce the number of personnel used in such agreement, those members affected by such termination or modification shall not be subject to the personnel cap referenced in subsection 1 of this section for a period of three years.

4. Members of the patrol hired in conjunction with the community oriented policing services federal grant shall not be subject to the personnel cap referenced in subsection 1 of this section until such time the federal grant expires.

[3.] **5.** Applicants shall not be discriminated against because of race, creed, color, national origin or sex.".

Further amend the title and enacting clause accordingly.

On motion of Representative Witt, House Amendment No. 2 was adopted.

Representative Bennett offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1149, 1150 & 1240, page 1, by adding at the end of said substitute, the following:

"Section B. Because of the immediate need to establish a division of gaming within the Missouri highway patrol, this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution and this act shall be in full force and effect upon its passage and approval."

Representative Jacob offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1
for

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1149, 1150 and 1240, at the end, by enacting the title and enacting clause accordingly.

And further amend said bill by adding the following:

Section 2. Because immediate action is necessary for the preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the Constitution, and this act shall be in full force and effect upon its passage and approval.

On motion of Representative Jacob, House Substitute Amendment No. 1 for House Amendment No. 3 was adopted.

Representative Brown offered House Amendment No 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1149, 1150 and 1240, page 1, section 1, line 11, by inserting after all of said line the following:

"572.010. As used in this chapter:

(1) "Advance gambling activity", a person "advances gambling activity" if, acting other than as a player, [he] **the person** engages in conduct that materially aids any form of gambling activity. Conduct of this nature includes but is not limited to conduct directed toward the creation or establishment of the particular game, lottery, contest, scheme, device or activity involved, toward the acquisition or maintenance of premises, paraphernalia, equipment or apparatus therefor, toward the solicitation or inducement of persons to participate therein, toward the actual conduct of the playing phases thereof, toward the arrangement or communication of any of its financial or recording phases, or toward any other phase of its operation. A person advances gambling activity if, having substantial proprietary control or other authoritative control over premises being used with [his] **the person's** knowledge for purposes of gambling activity, [he] **the person** permits that activity to occur or continue or makes no effort to prevent its occurrence or continuation. The supplying, servicing and operation of a licensed excursion gambling boat under sections 313.800 to 313.840, RSMo, does not constitute advancing gambling activity;

(2) "Bookmaking", [means] advancing gambling activity by unlawfully accepting bets from members of the public as a business, rather than in a casual or personal fashion, upon the outcomes of future contingent events;

(3) "Contest of chance" [means]**,** any contest, game, gaming scheme or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that the skill of the contestants may also be a factor therein;

(4) "Gambling", a person engages in "gambling" when [he] **such person** stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under his control or influence, upon an agreement or understanding that he will receive something of value in the event of a certain outcome. Gambling does not include bona fide business transactions valid under the law of contracts, including but not limited to contracts for the purchase or sale at a future date of securities or commodities, and agreements to compensate for loss caused by the happening of chance, including but not limited to contracts of indemnity or guaranty and life, health or accident insurance; nor does gambling include playing an amusement device that confers only an immediate right of replay not exchangeable for something of value. Gambling does not include any licensed activity, or persons participating in such games which are covered by sections 313.800 to 313.840, RSMo**, or conducting or participating in any raffle**;

(5) "Gambling device" [means]**,** any device, machine, paraphernalia or equipment that is used or usable in the playing phases of any gambling activity, whether that activity consists of gambling between persons or gambling by a person with a machine. However, lottery tickets, policy slips and other items used in the playing phases of lottery and policy schemes are not gambling devices within this definition;

(6) "Gambling record" [means]**,** any article, instrument, record, receipt, ticket, certificate, token, slip or notation used or intended to be used in connection with unlawful gambling activity;

(7) "Lottery" or "policy" [means]**,** an unlawful gambling scheme in which for a consideration the participants are

given an opportunity to win something of value, the award of which is determined by chance**. The term "lottery" or "policy" does not include a raffle**;

(8) "Player" [means]**,** a person who engages in any form of gambling solely as a contestant or bettor, without receiving or becoming entitled to receive any profit therefrom other than personal gambling winnings, and without otherwise rendering any material assistance to the establishment, conduct or operation of the particular gambling activity. A person who gambles at a social game of chance on equal terms with the other participants therein does not otherwise render material assistance to the establishment, conduct or operation thereof by performing, without fee or remuneration, acts directed toward the arrangement or facilitation of the game, such as inviting persons to play, permitting the use of premises therefor and supplying cards or other equipment used therein. A person who engages in "bookmaking" as defined in subdivision (2) of this section is not a "player";

(9) "Professional player" [means]**,** a player who engages in gambling for a livelihood or who has derived at least twenty percent of his income in any one year within the past five years from acting solely as a player;

(10) "Profit from gambling activity", a person "profits from gambling activity" if, other than as a player, [he] **the person** accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of gambling activity;

(11) **"Raffle", a drawing conducted by any organization which qualifies for tax-exempt status under section 501 (c) (3) of the Internal Revenue Code of 1986, as amended, any political party, candidate committee or person who has filed as a candidate for public office, or any group formed for a one-time charitable or benevolent purpose, where one or more prizes are awarded to persons who enter the drawing by purchasing tickets or by making a contribution to the person or organization conducting the drawing, and where all proceeds of the drawing are used for a charitable or benevolent purpose, or in the case of a political party, candidate committee or candidate for public office, such proceeds are used for campaign expenditures as governed by chapter 130, RSMo;**

(12) "Slot machine" [means]**,** a gambling device that as a result of the insertion of a coin or other object operates, either completely automatically or with the aid of some physical act by the player, in such a manner that, depending upon elements of chance, it may eject something of value. A device so constructed or readily adaptable or convertible to such use is no less a slot machine because it is not in working order or because some mechanical act of manipulation or repair is required to accomplish its adaptation, conversion or workability. Nor is it any less a slot machine because apart from its use or adaptability as such it may also sell or deliver something of value on a basis other than chance;

[(12)] **(13)** "Something of value" [means]**,** any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise directly or indirectly contemplating transfer of money or property or of any interest therein or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge;

[(13)] **(14)** "Unlawful" [means]**,** not specifically authorized by law."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Brown, House Amendment No. 4 was adopted.

Representative Pouche offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1149, 1150 and 1240, section 1, page 1, by inserting immediately after said section the following new section:

"**Section 2. Gambling establishments are prohibited from receiving benefits through state business assistance programs pursuant to sections 99.800 to 99.865, sections 135.100 to 135.150, and sections 135.200 to 135.256, RSMo. For purposes of this section, "gambling establishments" are facilities primarily used for conducting licensed gaming activities by an organization other than a bona fide religious, charitable, fraternal, veteran or service organization.**"

Amend title and enacting clause accordingly.

On motion of Representative Pouche, House Amendment No. 5 was adopted by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Donovan	Dougherty	Edwards-Pavia

Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Klumb	Koller	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Days	Shelton 57

PRESENT: 000

ABSENT WITH LEAVE: 013

Champion	Childers	Chrismer	Daniel 42	Goward
Harlan	Kelly 27	Kreider	Murray 69	Pryor
Ribaudo	Treadway	Ward		

VACANCY: 001

Representative Froelker offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1149, 1150 & 1240, Page 1, Section 43.351, by inserting the following after said section:

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

(1) The recommended number of licensed excursion gambling boats operating in such city or county;

(2) The recommended licensee or licensees operating in such city or county;

(3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;

(4) The city or county proposed sharing of revenue with any other municipality;

(5) Any other information such city or county deems necessary; and

(6) Any other information the commission may determine is necessary.

The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. The applicant shall establish by clear and convincing evidence its fitness to be licensed if there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established his [his] **the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. A licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed [must] **shall** be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of ..... allow the licensing of excursion gambling boats or floating facilities as

now or hereafter provided by Missouri gaming law in the city (county)?

* YES * NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election**; except that, in no event shall a proposal pursuant to this subsection be submitted to the voters sooner than eighteen months from the date the last proposal was submitted pursuant to this subsection**. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306, RSMo, and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or other action for any act or failure to act by himself **or herself** or his **or her** agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state [of] **or** gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

313.835. Gaming commission fund, created, purpose, expenditures--veterans' homes capital improvement trust fund, created, purpose, funding.--

1. All revenue received by the commission from license fees, penalties, administrative fees, reimbursement by any excursion gambling boat operators for services provided by the commission and admission fees authorized under the provisions of sections 313.800 to 313.850 shall be deposited in the state treasury to the credit of the "Gaming Commission Fund" which is hereby created for the sole purpose of funding the administrative costs of the commission relating to excursion gambling boat operations, subject to appropriation. Moneys deposited into this fund shall not be considered proceeds of excursion gambling boat operations. Moneys deposited into the gaming commission fund shall be considered state funds pursuant to article IV, section 15 of the Missouri Constitution. All interest received on the gaming commission fund shall be credited to the gaming commission fund. Any appropriation from the state general revenue fund to fund expenses of the state gaming commission, other than funds from the gaming commission fund, shall be reimbursed to the general revenue fund by July 1, 1995. Beginning July 1, 1995, any excess moneys not already encumbered at the end of any fiscal year in the gaming commission fund shall be distributed in the following manner:

(1) The first five hundred thousand dollars shall be appropriated on a per capita basis to cities and counties that match the state portion and have demonstrated a need for funding community neighborhood organization programs for the homeless and to deter gang-related violence and crimes;

(2) The next five hundred thousand dollars shall be transferred to the compulsive gamblers fund established pursuant to section 313.842;

[(2)] **(3)** Until July 1, 2000, the remaining unencumbered funds shall be transferred to the "Veterans' Homes Capital Improvement Trust Fund", as hereby created in the state treasury. The state treasurer shall administer the veterans' homes capital improvement trust fund, and the moneys in such fund shall be used solely, upon appropriation, by the Missouri veterans' commission for the construction or renovation of veterans' homes in this state. Any interest which accrues to the fund shall remain in the fund and shall be used in the same manner as moneys which are transferred to the fund pursuant to this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the veterans' homes capital improvement trust fund at the end of any biennium shall not be transferred to the credit of the general revenue fund. Beginning July 1, 2000, the remaining unencumbered funds shall be transferred from the gaming commission fund to the state general revenue fund.

2. If, prior to July 1, 1995, any unencumbered moneys in the gaming commission fund that exceed the amount appropriated in fiscal year 1995 to any state agency for the purpose of regulating excursion gambling shall be transferred to the veterans' homes capital improvement trust fund.

313.842. There may be established an outpatient center which shall provide services for compulsive gamblers and their families [in any city or county that licenses excursion gambling boats]. As used in this section, "compulsive gambler" means a person who is chronically and progressively preoccupied with gambling and the urge to gamble. Such centers may be funded from the taxes collected and distributed to [the] **any** city or county [establishing the center under] **pursuant to** section 313.822. Such moneys shall be submitted to the state and credited to the "Compulsive Gamblers Fund", which is hereby established within the department of mental health. **Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.** The department of mental health shall administer all programs, either directly or by contract, for compulsive gamblers. [Any such person or family of such person requesting services for compulsive gambling from the outpatient center must prove by a preponderance of the evidence that his or her chronic and preoccupation with gambling and the urge to gamble was exacerbated by this proposed legislation establishing riverboat gambling in this state.]

Further amend said bill by enacting the title and enacting clause accordingly.

Representative Froelker requested a division of the question.

House Amendment No. 6

Part I

AMEND House Substitute for House Committee Substitute for House Bills Nos. 1149, 1150 & 1240, Page 1, Section 43.351, by inserting the following after said section:

313.812. 1. The commission may issue licenses pursuant to subsection 1 of section 313.807 when it is satisfied that the applicant has complied with all rules and regulations, including an update of all information provided to the commission in the licensee's initial application. The commission shall decide the number, location and type of excursion gambling boat in a city or county under subsection 10 of this section. The license shall set forth the name of the licensee, the type of license granted, the place where the excursion gambling boat will operate and dock, including the docking of an excursion gambling boat which is continuously docked, and other information the commission deems appropriate. The commission shall have the ultimate responsibility of deciding the number, location, and type of excursion gambling boats licensed in a city or county; however, any city or county which has complied with the provisions of subsection 10 of this section shall submit to the commission a plan outlining the following:

(1) The recommended number of licensed excursion gambling boats operating in such city or county;

(2) The recommended licensee or licensees operating in such city or county;

(3) The community's economic development or impact and affirmative action plan concerning minorities' and women's ownership, contracting and employment for the waterfront development;

(4) The city or county proposed sharing of revenue with any other municipality;

(5) Any other information such city or county deems necessary; and

(6) Any other information the commission may determine is necessary.

The commission shall provide for due dates for receiving such plan from the city or county.

2. A license to operate an excursion gambling boat shall only be granted to an applicant upon the express conditions that:

(1) The applicant shall not, by a lease, contract, understanding, or arrangement of any kind, grant, assign, or turn over to a person the operation of an excursion gambling boat licensed under this section or of the system of wagering described in section 313.817. This section does not prohibit a management contract with a person licensed by the commission; and

(2) The applicant shall not in any manner permit a person other than the licensee and the management licensee to have a share, percentage, or proportion of the money received for admissions to the excursion gambling boat.

3. The commission shall require, as a condition of granting a license, that an applicant operate an excursion gambling boat which, as nearly as practicable, resembles or is a part of Missouri's or the home dock city's or county's riverboat history.

4. The commission shall encourage through its rules and regulations the use of Missouri resources, goods and services in the operation of any excursion gambling boat.

5. The excursion gambling boat shall provide for nongaming areas, food service and a Missouri theme gift shop. The amount of space used for gaming shall be determined in accordance with all rules and regulations of the commission and the United States Coast Guard safety regulations.

6. A license to operate gambling games or to operate an excursion gambling boat shall not be granted unless the applicant has, through clear and convincing evidence, demonstrated financial responsibility sufficient to meet adequately the requirements of the proposed enterprise.

7. The applicant shall establish by clear and convincing evidence its fitness to be licensed if there is evidence that any of the following apply:

(1) The applicant has been suspended from operating an excursion gambling boat or a game of chance or gambling operation in another jurisdiction by a board or commission of that jurisdiction;

(2) The applicant is not the true owner of the enterprise proposed;

(3) The applicant is not the sole owner, and other persons have ownership in the enterprise, which fact has not been disclosed;

(4) The applicant is a corporation that is not publicly traded and ten percent or more of the stock of the corporation is subject to a contract or option to purchase at any time during the period for which the license is to be issued unless the contract or option was disclosed to the commission and the commission approved the sale or transfer during the period of the license;

(5) The applicant has knowingly made a false statement of a material fact to the commission; or

(6) The applicant has failed to meet a valid, bona fide monetary obligation in connection with an excursion gambling boat.

8. A license shall not be granted if the applicant has not established his [his] **the applicant's** good repute and moral character or if the applicant has pled guilty to, or has been convicted of, a felony. No licensee shall employ or contract with any person who has pled guilty to, or has been convicted of, a felony to perform any duties directly connected with the licensee's privileges under a license granted pursuant to this section, except that employees performing nongaming related occupations as determined by the commission shall be exempt from the requirements of this subsection.

9. A licensee shall not lend to any person money or any other thing of value for the purpose of permitting that person to wager on any gambling game authorized by law. This does not prohibit credit card or debit card transactions or cashing of checks. Any check cashed [must] **shall** be deposited within twenty-four hours. The commission may require licensees to verify a sufficient account balance exists before cashing any check. Any licensee who violates the provisions of this subsection shall be subject to an administrative penalty of five thousand dollars for each violation. Such administrative penalties shall be assessed and collected by the

commission.

10. Gambling excursions including the operation of gambling games on an excursion gambling boat which is not continuously docked shall be allowed only on the Mississippi River and the Missouri River. No license to conduct gambling games on an excursion gambling boat in a city or county shall be issued unless and until the qualified voters of the city or county approve such activities pursuant to this subsection. The question shall be submitted to the qualified voters of the city or county at a general, primary or special election upon the motion of the governing body of the city or county or upon the petition of fifteen percent of the qualified voters of the city or county determined on the basis of the number of votes cast for governor in the city or county at the last election held prior to the filing of the petition. The question shall be submitted in substantially the following form:

Shall the City (County) of ..... allow the licensing of excursion gambling boats or floating facilities as now or hereafter provided by Missouri gaming law in the city (county)?

* YES * NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the commission may license excursion gambling boats in that city or county and such boats may operate on the Mississippi River and the Missouri River. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the commission shall not license such excursion gambling boats in such city or county unless and until the question is again submitted to and approved by a majority of the qualified voters of the city or county at a later election**; except that, in no event shall a proposal pursuant to this subsection be submitted to the voters sooner than eighteen months from the date the last proposal was submitted pursuant to this subsection**. Excursion gambling boats may only dock in a city or unincorporated area of a county which approves licensing of such excursion gambling boats pursuant to this subsection, but gambling operations may be conducted at any point on the Mississippi River or the Missouri River during an excursion. Those cities and counties which have approved by election pursuant to this subsection, except those cities or counties which have subsequently rejected by election, the licensing of any type of excursion gambling boats in the city or county prior to April 6, 1994, are exempt from any local election requirement of this section as such previous election shall have the same effect as if held after May 20, 1994.

11. If a docking fee is charged by a city or a county, a licensee operating an excursion gambling boat shall pay the docking fee prior to the start of the excursion season.

12. Any licensee shall not be delinquent in the payment of property taxes or other taxes or fees or in the payment of any other contractual obligation or debt due or owed to the state or a political subdivision of the state.

13. An excursion gambling boat licensed by the state shall meet all of the requirements of chapter 306, RSMo, and is subject to an inspection of its sanitary facilities to protect the environment and water quality by the commission or its designee before a license to operate an excursion gambling boat is issued by the commission. Licensed excursion gambling boats shall also be subject to such inspections during the period of the license as may be deemed necessary by the commission. The cost of such inspections shall be paid by the licensee.

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or other action for any act or failure to act by himself **or herself** or his **or her** agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming;

(3) Receiving goods or services from a person or business entity who does not hold a supplier's license but who is required to hold such license by the provisions of sections 313.800 to 313.850 or the rules and regulations of the commission;

(4) Being suspended or ruled ineligible or having a license revoked or suspended in any state [of] **or** gaming jurisdiction;

(5) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in gaming;

(6) Employing in any gambling games operation or any excursion gambling boat operation, any person known to have been found guilty of cheating or using any improper device in connection with any gambling game;

(7) Use of fraud, deception, misrepresentation or bribery in securing any permit or license issued pursuant to sections 313.800 to 313.850;

(8) Obtaining or attempting to obtain any fee, charge, or other compensation by fraud, deception, or misrepresentation;

(9) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties regulated by sections 313.800 to 313.850.

On motion of Representative Froelker, Part I of House Amendment No. 6 was adopted.

Part II of House Amendment No. 6 was withdrawn.

On motion of Representative Jacob, **HS HCS HBs 1149, 1150 and 1240, as amended,** was adopted.

On motion of Representative Jacob, **HS HCS HBs 1149, 1150 and 1240, as amended**,was ordered perfected and printed.

HCS HBs 987, 1155, 1158 and 1219, **as amended**, relating to income tax, was again taken up by Representative Jacob.

Representative Jacob offered **HS HCS HBs 987, 1155, 1158 and 1219**.

Representative Pauley offered House Amendment No. 1.

House Amendment No. 1

Amend House Substitute for House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, page 8, section 143.161, line 13, by deleting the word "**twelve**" and inserting in lieu thereof the word "**eight**"; and

Further amend said bill, page 8, section 143.161, line 19, by deleting the word "**eight**" and inserting in lieu thereof the word "**four**".

Representative Lograsso offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1 for House Amendment No. 1 was withdrawn.

Representative Lograsso offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, page 4, section 143.124, line 17, by inserting before the word "six" the following: "**two thousand dollars for tax years beginning on or after January 1, 1998, but before January 1, 1999, and the amount of four thousand dollars for tax years beginning on or after January 1, 1999, but before January 1, 2000, and above the amount of**"; and

Further amend said bill, page 4, section 143.124, line 18 by deleting the number "**1997**" and inserting in lieu thereof the number "**2000**"; and

Further amend said bill, page 6, section 143.124, line 8 by deleting the number "**1997**" and inserting in lieu thereof the number "**1998**"; and

Further amend said bill, page 6, section 143.124, line 10 by inserting after the word "**first**" the following "two thousand dollars of retirement benefits received from privately funded sources for tax years beginning on or after January 1, 1998, but before January 1, 1999, and the first four thousand dollars of retirement benefits received from privately funded sources for tax years beginning on or after January 1, 1999, but before January 1, 2000, and the first"; and

Further amend said bill, page 6, section 143.124, line 11 by inserting after the word "**sources**" the following: "**for tax years beginning on or after January 1, 2000**"; and

Further amend said bill, page 8, section 143.161, line 13 by deleting the word "**twelve**" and inserting in lieu thereof following "**, beginning January 1, 1997, five**"; and

Further amend said bill, section 143.161, line 16 by inserting after the word "purposes." the following "**For each tax year beginning on or after January 1, 1998, the dependent deduction shall increase in increments of three hundred-thirty-three dollars per tax year until January 1, 1999. For all tax years beginning on or after January 1, 1999, the deduction shall be fourteen hundred dollars.**"; and

Further amend said bill, section 143.161, line 19 by deleting the word "**eight**" and inserting in lieu thereof the

word "**one**"; and

Further amend said bill, section 143.161, line 20 by inserting after the word "dollars." the following "**For each tax year beginning on or after January 1, 1998, the additional dependent deduction shall increase in increments of four hundred dollars per tax year until January 1, 1999. For all tax years beginning on or after January 1, 1999, the deduction shall be twelve hundred dollars.**"

On motion of Representative Lograsso, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Goward	Heckemeyer	Hoppe	Ribaudo	Thompson 37

Ward

VACANCY: 001

Representative Gratz offered House Amendment No. 2.

Sixty-fifth Day-Tuesday, April 30, 1996

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for House Bills Nos. 987, 1155, 1158 and 1219, page 1, In the Title, line 2, by inserting immediately after the first comma "," the following: "143.111,"; and,

Further amend said bill, page 1, In the Title, line 3, by deleting the word "three" and inserting in lieu thereof the word "five"; and

Further amend said bill, page 1, section A, line 1, by inserting immediately after the first comma "," the following: "143.111,"; and

Further amend said bill, page 1, section A, line 2, by deleting the word "three" and inserting in lieu thereof the

word "five"; and

Further amend said bill, page 1, section A, line 3, by inserting immediately after the second comma "," the following: "143.111, 143.122,"; and

Further amend said bill, page 4, section 135.030, line 10, by inserting immediately at the end of said line the following:

143.111. The Missouri taxable income of a resident shall be his Missouri adjusted gross income less:

(1) either[:] the Missouri standard deduction or the Missouri itemized deduction[,];

(2) the Missouri deduction for personal exemptions[,];

(3) the Missouri deduction for dependency exemptions[,];

(4) the deduction for federal income taxes provided in section 143.171[,]; **and**

(5) the deduction for tuition or attendance fees provided in section 143.122.

143.122. In addition to the amounts to be subtracted from his federal adjusted gross income to determine his Missouri adjusted gross income under the provisions of section 143.121, there shall be subtracted the amount the taxpayer has paid to others for each dependent in grades nine through twelve, for tuition or attendance fees for or on behalf of each dependent in attending a secondary school situated in Missouri, up to a maximum of two thousand five hundred dollars for each dependent.

On motion of Representative Gratz, House Amendment No. 2 was adopted by the following vote:

AYES: 080

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bennett 15	Boatright	Bonner	Brown
Burton	Chrismer	Cierpiot	Cooper	Crum 112
Daniel 42	Davis	Donovan	Dougherty	Elliott
Enz	Evans	Foley	Ford	Foster
Froelker	Graham	Gratz	Green	Griesheimer
Gross	Hall	Hand	Heckemeyer	Hendrickson
Hickey	Hohulin	Hoppe	Howerton	Kasten
Keeven	Kelley 47	Kissell	Leake	Levin
Liese	Linton	Lograsso	Loudon	Luetkenhaus
Marble	May 108	McClelland	Murphy	Murray 69
Naeger	O'Connor	O'Neill	O'Toole	Oetting
Overschmidt	Pouche	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Scheve	Schwab	Scott
Secrest	Sheldon 104	Stokan	Surface	Treadway
Vogel	Whiteside	Wieland	Wiggins	Williams 159

NOES: 074

Backer	Bartelsmeyer	Boucher	Bray 84	Broach
Canuteson	Carter	Champion	Childers	Clayton
Copeland	Crump 152	Daniels 41	Days	Edwards-Pavia
Farmer	Farnen	Fiebelman	Fitzwater	Franklin
Gaskill	Gibbons	Gunn	Hagan-Harrell	Harlan
Hartzler 123	Hegeman	Hosmer	Jacob	Kauffman
Kelly 27	Klumb	Koller	Kreider	Lakin
Legan	Long	Lumpe	Marshall 26	Marshall 133
Mays 50	McBride	McLuckie	Mitchell	Montgomery
Morgan	Murray 135	Nordwald	Ostmann	Pauley
Pryor	Relford	Robirds	Sallee	Schilling
Sears 1	Shear 83	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Tate	Thomason 163	Troupe	Van Zandt	Wannenmacher
Williams 121	Witt	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Garnett	Goward	Hartzler 124	Prost

Ribaudo	Thompson 37	Ward		

VACANCY: 001

HCS HBs 987, 1155, 1158 and 1219, as amended, with HS, as amended, pending, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Greg Myers, Andrew Venegoni, Brandon Carter, Kevin Watts, Amy Moss, Ryan Searcy and Jim Price.

RESOLUTIONS

Representative Fitzwater offered House Resolution No. 984, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution Nos. 985 through 987, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135), et al, offered House Resolution Nos. 988 through 1008, which were referred to the Committee on Miscellaneous Bills and Resolutions.

THIRD READING OF SENATE JOINT RESOLUTION

SJR 32, relating to Department of Aging, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **SJR 32** was truly agreed to and finally passed by the following vote:

AYES: 113

Auer	Backer	Ballard	Barry 100	Bartelsmeyer
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Garnett	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kasten	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Levin
Liese	Long	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McBride	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Nordwald
O'Connor	O'Neill	Oetting	Ostmann	Overschmidt
Pauley	Prost	Relford	Reynolds	Ribaudo
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Sombart	Stokan	Stoll
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Wannenmacher	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 042

Akin	Alter	Barnett 4	Bennett 15	Boatright
Cierpiot	Elliott	Enz	Evans	Froelker
Gaskill	Gibbons	Graham	Hall	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kauffman
Keeven	Legan	Linton	Lograsso	Marble
Marshall 133	McClelland	Murray 135	Naeger	Pouche
Pryor	Richardson	Ridgeway	Schwab	Scott
Shields	Steen	Summers	Van Zandt	Vogel
Whiteside	Wieland			

PRESENT: 001

Bland

ABSENT WITH LEAVE: 006

Chrismer Goward Loudon O'Toole Secrest

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Bonner moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE CONCURRENT RESOLUTIONS

SCR 18, relating to Liberty Memorial, was taken up by Representative Thompson (37).

On motion of Representative Thompson (37), **SCR 18** was adopted.

SCR 19, relating to naval memorial and museum, was taken up by Representative Montgomery.

On motion of Representative Montgomery, **SCR 19** was adopted.

SCR 24, relating to Missouri volunteers at Alamo, was taken up by Representative Prost.

On motion of Representative Prost, **SCR 24** was adopted.

SCR 25, relating to Probation and Parole officers, was taken up by Representative Crump (152).

On motion of Representative Crump (152), **SCR 25** was adopted.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 766, HB 1346 and HB 1619** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 766, HB 1346 and HB 1619** were delivered to the Governor by the Chief Clerk of the House.

THIRD READING OF SENATE BILLS

SB 858, relating to HIV-Aids, was taken up by Representative Carter.

Representative Hosmer offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 858, Page 1, In the Title, Line 4, by deleting the word "five" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "five" and inserting in lieu thereof the word "seven"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "191.653," the numbers "191.654, 191.655,"; and

Further amend said bill, Page 4, Section 191.653, Line 20, by inserting after all of said line the following:

"**191.654. 1. Any person may petition the court to mandate HIV testing of an individual without the right of refusal, if the petitioner is able to show that there has been contact with the individual and that such contact has a medically recognized potential for transferring HIV.**

2. Venue is proper in the county in which either of the parties live or can be found.

3. Upon petition the court shall determine by a preponderance of the evidence whether there are reasonable grounds to believe that there has been contact between the petitioner and the individual which has a medically recognized potential for transferring HIV. The court shall order the individual to undergo appropriate HIV testing by the department of health or a federally certified laboratory.

4. The cost of the HIV testing required pursuant to this section shall be paid by the petitioner, unless the court orders otherwise.

5. Notwithstanding any provision of the law to the contrary, results of the HIV testing done pursuant to this section shall be available only to the petitioner and the person tested.

191.655. 1. Upon petition of the prosecuting attorney, if the court decides by a preponderance of the evidence that the commission of a crime put the victim at risk of being infected with the HIV virus, the court may order the accused to undergo HIV testing without right of refusal.

2. Notwithstanding any provision of the law to the contrary, the victim shall be informed of the results of the test conducted pursuant to subsection 1 of this section.

3. The provisions of section 191.656, shall apply to all tests provided by subsection 1 of this section and section 191.654 except as otherwise provided in section 191.654 or this section.".

Representative Carter raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Witt assumed the Chair.

Representative Marshall (133) offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No.1 to Senate Bill No. 858, Page 1, Section 191.654, Line 1, by adding after the word a "person" the following: "who is the victim of a crime"

Representative Marshall (133) moved that House Amendment No. 1 to House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Hosmer, House Amendment No. 1 was adopted by the following vote:

AYES: 094

Alter	Ballard	Barnett 4	Barry 100	Bartelsmeyer
Bennett 15	Boatright	Bonner	Broach	Brown
Burton	Canuteson	Champion	Childers	Chrismer
Cierpiot	Crum 112	Crump 152	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Foley
Foster	Franklin	Froelker	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hartzler 123	Hartzler 124	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Keeven	Kelley 47	Kissell	Klumb	Kreider
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
May 108	Mays 50	Mitchell	Murphy	Murray 69
Nordwald	O'Connor	O'Toole	Oetting	Overschmidt
Pouche	Pryor	Reynolds	Ridgeway	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Shields	Sombart	Steen	Stoll
Summers	Surface	Treadway	Vogel	Wannenmacher
Wieland	Williams 121	Wooten	Mr. Speaker	

NOES: 060

Akin	Auer	Backer	Bland	Boucher
Bray 84	Carter	Clayton	Cooper	Copeland
Daniel 42	Daniels 41	Davis	Days	Farmer
Fiebelman	Fitzwater	Ford	Garnett	Gunn
Hagan-Harrell	Hand	Harlan	Heckemeyer	Hegeman
Jacob	Kauffman	Kelly 27	Koller	Lakin
Leake	Lumpe	Marshall 133	McBride	McClelland
McLuckie	Montgomery	Morgan	Murray 135	O'Neill
Ostmann	Pauley	Prost	Relford	Rizzo
Schilling	Shear 83	Sheldon 104	Shelton 57	Skaggs

Smith	Stokan	Tate	Thomason 163	Troupe
Van Zandt	Whiteside	Wiggins	Williams 159	Witt

PRESENT: 000

ABSENT WITH LEAVE: 008

Dougherty	Goward	Naeger	Ribaudo
Richardson			
Secrest	Thompson 37	Ward	

VACANCY: 001

Representative Rizzo offered House Amendment No. 2.

House Amendment No. 2

AMEND Senate Bill 858, page 7, section 191.686, line 15, by adding the following new section after said line:

"**Section 1. Any person who has been convicted for a third offense of prostitution pursuant to chapter 567, RSMo and who has tested positive for the HIV virus shall be guilty of Class C felony. The court may examine the circumstances surrounding individual cases and may, at its discretion, expunge the criminal record for any person found guilty of a Class C felony pursuant to this section.**"

Representative Bennett requested a division of the question.

House Amendment No. 2

PART I

AMEND Senate Bill 858, page 7, section 191.686, line 15, by adding the following new section after said line:

"**Section 1. Any person who has been convicted for a third offense of prostitution pursuant to chapter 567, RSMo and who has tested positive for the HIV virus shall be guilty of Class C felony.** "

Representative Murray (135) offered House Amendment No. 1 to Part I of House Amendment No. 2.

House Amendment No. 1

to

Part I

of

House Amendment No. 2

AMEND Part I of House Amendment No. 2 to Senate Bill No. 858, line 3, by adding after the word "prostitution" the following: **or solicitation of prostitution**; and

Further amend said amendment at line 5, by inserting after the word "virus" the following:

prior to commission of the third offense

On motion of Representative Murray (135), House Amendment No. 1 to Part I of House Amendment No. 2 was adopted.

On motion of Representative Rizzo, Part I of House Amendment No. 2, as amended, was adopted.

House Amendment No. 2

PART II

AMEND Senate Bill 858, page 7, section 191.686, line 15, by adding the following new section after said line:

"**Section 1. The court may examine the circumstances surrounding individual cases and may, at its discretion, expunge the criminal record for any person found guilty of a Class C felony pursuant to this section.**"

Representative Rizzo moved that Part II of House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Carter, **SB 858, as amended,** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Shear 83
Sheldon 104	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniels 41	Goward	Ribaudo	Secrest	Shelton 57
Thompson 37	Ward			

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Fiebelman, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Days moved that motion lay on the table.

The latter motion prevailed.

HCS SB 715, relating to Mississippi River Parkway Commission, was taken up by Representative Overschmidt.

On motion of Representative Overschmidt, **HCS SB 715** was adopted.

On motion of Representative Overschmidt, **HCS SB 715** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Davis	Days
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer

Hegeman	Hendrickson	Hickey	Hoppe	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 003

Hohulin	Linton	Lumpe

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Daniels 41	Donovan	Goward	Hosmer
Lakin	Ribaudo	Secrest	Thompson 37	Ward

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

SB 854, relating to Midwest low-level radioactive waste compact, was taken up by Representative Backer and placed on the Informal Calendar.

HCS SCS#2 SB 860, relating to public school retirement systems, was taken up by Representative Hagan-Harrell.

Representative Auer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill No. 860, Page 20, Section 169.440, Line 120, by inserting after all of said line the following:

"**13. Notwithstanding any other provision of sections 169.410 to 169.540 to the contrary, any member, who has withdrawn such member's contributions or had such contributions refunded pursuant to sections 169.410 to 169.540, who again becomes a member of the retirement system, may elect to reinstate any creditable service forfeited at time or times of any previous withdrawals or refunds. Such reinstatement shall be effected by the member paying to the retirement system with interest the amount of accumulated contributions withdrawn by such member or refunded to the member at the time or times of withdrawal or refund, and by teaching in the district for at least an additional seven years before such member retires.**".

On motion of Representative Auer, House Amendment No. 1 was adopted.

Representative Marshall (26) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute #2 for Senate Bill No. 860, Page 1, In the Title, Line 7, by deleting the word "twenty-three" and inserting in lieu thereof the word "twenty-four"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "twenty" and inserting in lieu thereof the

word "twenty-one"; and

Further amend said bill, Page 5, Section 169.035, Line 22, by inserting after all of said line the following:

"**169.054. Notwithstanding any provision of section 169.055 to the contrary, any member, who is vested, who had served in the armed forces of the United States at anytime prior to becoming a member, and who becomes employed in a position qualifying for membership in the retirement system after such member's discharge under honorable conditions may elect, prior to retirement, to purchase membership service for the entire period of service in the armed forces, but not to exceed five years.**".

On motion of Representative Marshall (26), House Amendment No. 2 was adopted.

Representative Auer assumed the Chair.

On motion of Representative Hagan-Harrell, **HCS SCS #2 SB 860, as amended**, was adopted.

On motion of Representative Hagan-Harrell, **HCS SCS #2 SB 860, as amended** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Sears 1	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Loudon

PRESENT: 002

Franklin	Sallee

ABSENT WITH LEAVE: 011

Bartelsmeyer	Champion	Daniels 41	Goward	Hagan-Harrell
Pouche	Ribaudo	Secrest	Shear 83	Thompson 37

Ward

VACANCY: 001

Representative Auer declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 139

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Froelker	Garnett	Gibbons	Graham
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Neill	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Sears 1
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 012

Chrismer	Evans	Gaskill	Gratz	Hall
Hendrickson	Lograsso	Loudon	Murray 135	Pryor
Steen	Wieland			

Sixty-fifth Day-Tuesday, April 30, 1996

PRESENT: 002

Franklin	Sallee

ABSENT WITH LEAVE: 009

Bartelsmeyer	Dougherty	Goward	O'Toole	Ribaudo
Secrest	Shear 83	Thompson 37	Ward	

VACANCY: 001

On motion of Representative Carter, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Farmer moved that motion lay on the table.

The latter motion prevailed.

MOTION

SCS HB 1097, relating to first responder programs, was taken up by Representative Hosmer.

Representative Hosmer moved that the conferees be allowed to exceed the differences on **SCS HB 1097.**

Which motion was adopted.

THIRD READING OF SENATE BILL

SB 578, relating to highway patrol, was taken up by Representative Witt.

Representative Witt offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 578, page 2, section 43.050, line 24, by inserting immediately after said line the following:

"650.050. 1. The Missouri department of public safety shall develop and establish a "DNA Profiling System", referred to in sections 650.050 to 650.057 as the system to support criminal justice services in the local communities throughout this state **in DNA identification**. This establishment shall be accomplished through consultation with the Kansas City, Missouri regional crime laboratory, Missouri state highway patrol crime laboratory, St. Louis, Missouri metropolitan crime laboratory, **[and] St. Louis county crime laboratory,** and southeast Missouri regional crime laboratory, Springfield regional crime laboratory, and the Missouri Southern State College Police Academy Regional Crime Lab.

2. The DNA profiling system as established in this section shall be compatible with that used by the Federal Bureau of Investigation **to ensure that DNA records are fully exchangeable between DNA laboratories and that quality assurance standards issued by the director of the Federal Bureau of Investigations are applied and performed.**

[3. The department of public safety shall report on the system to the legislature not later than the fifteenth of January, 1992. This report shall include a timeline for implementing each stage, a local agency financial participation analysis, a system analysis and a full cost/purchase analysis.]

650.052. 1. The state's DNA profiling system shall:

(1) Assist federal, state and local criminal justice and law enforcement agencies in the putative identification, detection or exclusion of individuals who are subjects of the investigation or prosecution of violent or sex-related crime in which biological evidence is recovered from the crime scene; and

(2) Support development of a population statistics database, when personal identifying information is removed; and

(3) Support identification research and protocol development of forensic DNA analysis methods; and

(4) For quality control purposes; or

(5) Assist in the recovery or identification of human remains from mass disasters, or for other humanitarian purposes, including identification of living missing persons.

2. The Missouri state highway patrol shall act as the central repository for the DNA profiling system and shall coordinate with the Federal Bureau of Investigation on the national database program.

3. The Missouri state highway patrol may promulgate rules in accordance with Federal Bureau of Investigation recommendations for the form and manner of collection of blood or other scientifically accepted biological samples and other procedures for the operation of sections 650.050 to 650.057. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

4. The Missouri state highway patrol shall provide the necessary components for collection of the convicted offender's biological samples. The specimens shall thereafter be forwarded to the Missouri state highway patrol crime laboratory.

5. The state's forensic DNA laboratories shall meet quality assurance standards specified by the Missouri state highway patrol and the Federal Bureau of Investigation to ensure quality DNA identification records submitted to the central repository.

6. The state's forensic DNA laboratories may provide the system for identification purposes to criminal justice, law enforcement officials and prosecutors in the preparation and utilization of DNA evidence for presentation in court and provide expert testimony in court on DNA evidentiary issues.

[650.053. The department of public safety, in consultation with Kansas City, Missouri regional crime laboratory, Missouri state highway patrol crime laboratory, St. Louis, Missouri metropolitan crime laboratory, Springfield regional crime laboratory and southeast Missouri regional crime laboratory, may:

(1) Provide the system to law enforcement agencies throughout the state; and

(2) Provide assistance to law enforcement officials and prosecutors in the preparation and utilization of DNA evidence for presentation in court; and

(3) Provide expert testimony in court on DNA evidentiary issues.]

650.055. **1.** Every individual convicted in a Missouri circuit court of a felony, defined as a violent offense under chapter 565, RSMo, or as a sex offense under chapter 566, RSMo, excluding sections 566.010 and 566.020, RSMo, shall have a blood **or scientifically accepted biological** sample [drawn] **collected** for purposes of DNA

profiling analysis:

(1) Upon entering the department of correction's reception and diagnostic center(s); or

(2) Before release from, [or transfer to, a state correctional institution,] county jail or detention facility. [Any blood sample taken shall be used solely for the purpose of providing DNA or other blood grouping lists for profiling analysis and prosecution of a violent offense or a sex offense.**]; or**

(3) If such individual is under the jurisdiction of the department of corrections on or after the effective date of this section. Such jurisdiction includes persons currently incarcerated, persons on probation, as defined in 217.650, RSMo, and on parole, as also defined in 217.650.

2. The Missouri state highway patrol and department of corrections shall be responsible for ensuring adherence to the law. Any person required to provide a DNA sample pursuant to this section shall be required to provide such sample, without the right of refusal, at a collection site designated by the Missouri state highway patrol and the department of corrections. Authorized personnel collecting or assisting in the collection of samples shall not be liable in any civil or criminal action when the act is performed in a reasonable manner. Such force may be used as necessary to the effectual carrying out and application of such processes and operations. The enforcement of these provisions by the authorities in charge of state correctional institutions and others having custody of those convicted of the felony which shall not be set aside or reversed, is hereby made mandatory.

3. The procedure and rules for the collection, analysis, storage, expungement, use of DNA database records and privacy concerns shall not conflict with procedures and rules applicable to the Missouri DNA profiling system and the Federal Bureau of Investigation's DNA data bank system.

4. Unauthorized uses or dissemination of individually identifiable DNA information in a database for purposes other than criminal justice for law enforcement is a class A misdemeanor.

5. Implementation of section 650.050 and this section shall be subject to future appropriations to keep Missouri's DNA system compatible with the Federal Bureau of Investigation's DNA data bank system."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Witt, House Amendment No. 1 was adopted.

Representative Wannenmacher offered House Amendment No. 2.

House Amendment No. 2

AMEND Senate Bill No. 578, by adding a new section to Page 2 as follows:

"**43.351. Notwithstanding the provisions of subsection 1 of section 43.025, RSMo, the Missouri state highway patrol is hereby authorized to establish a "Division of Gaming", provided that the Missouri state highway patrol has entered into an agreement with the Missouri gaming commission pursuant to subsection 9 of section 313.004, RSMo, to enforce the provisions of section 313.005 to 313.080, RSMo, and section 313.500 to 313.710, RSMo, and sections 313.800 to 313.850, RSMo."**

Representative Bennett offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1
to
House Amendment No. 2

AMEND House Amendment No. 2 to Senate Bill No. 578, page 1, line 7, by adding at the end of said amendment, the following:

"Section B. Because this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution and this act shall be in full force and effect upon its passage and approval."

Representative Bennett moved that House Amendment No. 1 to House Amendment No. 2 be adopted.

Which motion was defeated.

On motion of Representative Wannenmacher, House Amendment No. 2 was adopted by the following vote:

AYES: 116

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Davis	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farnen
Fiebelman	Foley	Foster	Franklin	Froelker

Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hand	Harlan
Hartzler 123	Hartzler 124	Hendrickson	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kissell	Koller	Kreider	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 133	May 108
McBride	McClelland	Mitchell	Montgomery	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Schilling
Schwab	Scott	Shields	Smith	Sombart
Steen	Stokan	Summers	Surface	Tate
Treadway	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 036

Auer	Bland	Boucher	Bray 84	Carter
Daniel 42	Days	Farmer	Fitzwater	Gunn
Hagan-Harrell	Heckemeyer	Hegeman	Hickey	Jacob
Kelly 27	Klumb	Lakin	Lumpe	Marshall 26
Mays 50	McLuckie	Morgan	O'Neill	Pauley
Reynolds	Scheve	Sears 1	Shear 83	Sheldon 104
Shelton 57	Skaggs	Stoll	Thomason 163	Troupe

Van Zandt

PRESENT: 000

ABSENT WITH LEAVE: 010

Bartelsmeyer	Daniels 41	Ford	Goward	Hall
Hohulin	Ribaudo	Secrest	Thompson 37	Ward

VACANCY: 001

Representative Scott offered House Amendment No. 3.

House Amendment No. 3

AMEND Senate Bill No. 578, page 2, section 43.050, line 24, by adding after the section the following:

"6. All highway patrol cars not used exclusively in undercover operations shall be identified by insignia and visible emergency lights."

Representative Scott moved that House Amendment No. 3 be adopted.

Which motion was defeated.

On motion of Representative Witt, **SB 578, as amended,** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Linton

Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Jacob

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer	Ford	Garnett	Hohulin	Hosmer
Liese	O'Connor	Ribaudo	Secrest	Thompson 37

Ward

VACANCY: 001

Representative Auer declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative VanZandt moved that the vote by which the bill passed be reconsidered.

Representative Tate moved that motion lay on the table.

The latter motion prevailed.

REFERRAL OF SENATE BILL

The following Senate Bills were referred to the Committee indicated:

SCS SB 640 - Budget (Fiscal Note)

SB 981 - Municipal Corporations

SUPPLEMENTAL CALENDAR

April 30, 1996

SENATE JOINT RESOLUTION

SJR 29 - Leake

SENATE BILLS FOR THIRD READING

SB 952 - Lumpe

HCS SS SCS SB 494, E.C. - Witt

HCS SB 933 - Griesheimer

SCS SB 640, HCA 1 - (Budget-Fiscal 4-30-96) - Witt

HOUSE RESOLUTION

HR 791 - Witt

CONFERENCE COMMITTEE REPORT ON SENATE COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1466

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1466, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1466.

2. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1466.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1466, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Henry Rizzo	/s/ Ronnie DePasco
/s/ Ken Legan	/s/ Sidney Johnson
/s/ Rodger Fitzwater	/s/ Morris Westfall
/s/ T. Mark Elliott	/s/ Walt Mueller
/s/ Wayne Crump (152)	James L. Mathewson

COMMITTEE REPORTS

Committee on Consumer Protection, Chairman Mays (50) reporting:

Mr. Speaker: Your Committee on Consumer Protection, to which was referred **HCS HB 949**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Education - Elementary and Secondary, Chairman Morgan reporting:

Mr. Speaker: Your Committee on Education - Elementary and Secondary, to which was referred **SB 572**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 904**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HR 791**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE RESOLUTION NO. 791

Whereas, the members of the Missouri House of Representatives deem it both proper and necessary to maintain a cooperative relationship between our state's governmental bodies and the legal system; and

Whereas, the General Assembly has a long tradition of granting the use of its House and Senate Chambers for the purpose of official functions:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby grant the Western District Federal Court of Missouri permission to use the House Chamber for the purpose of swearing in newly licensed members of the Missouri Bar on Friday, May 3, 1996, from 10:00 a.m. until 11:30 a.m.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1295**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 904, 788 & 966**, entitled:

An act to repeal section 376.995, RSMo 1994, and section 167.181, RSMo Supp. 1995, and to enact in lieu thereof four new sections for the purpose of improving access to immunizations for children.

With Senate Amendment Nos. 1, 2 and 4.

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 904, 788 & 966, page 5, section 1, line 22, by inserting after the words: "long-term care policies," the following:

"coverage issued as a supplement to liability insurance, short-term major medical policies of six months or less duration"

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 904, 788 & 966, page 5, section 1, line 29, by inserting at the end of said line the following:

6. No health care provider shall charge more than one hundred percent of the reasonable and customary charges for providing any immunization.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 905, 788 & 966, page 6, section 2, lines 43-45, by deleting all of said lines.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 1069, 794, 807, 936, 1128, 1153 & 1202**, entitled:

An act to repeal section 376.995, RSMo 1994, and to enact in lieu thereof two new sections for the purpose of providing insurance coverage of certain inpatient maternity benefits.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 974**, entitled:

An act to repeal sections 557.036, 558.018, 558.021, 559.115 and 589.015, RSMo 1994, and sections 566.607 and 566.610, RSMo Supp. 1995, relating to sex offender sentencing, and to enact in lieu thereof eight new sections relating to the same subject, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1055**, entitled:

An act to repeal section 208.010, RSMo 1994, relating to public assistance benefits, and to enact in lieu thereof one new section relating to the same subject.

With Senate Amendments Nos. 4, 8, 10 and 11.

Senate Amendment No. 4

Amend House Bill No. 1055, Page 5, Section 208.010, Line 154 by inserting immediately after said line, the following:

"**Section 1. AFDC and food stamp recipients, who are required to participate in a work activity in order to retain their eligibility and who are denied employment due to failing an employer required controlled substance screening, shall have thirty days to become employed with the screening employer or obtain other employment. Denial of employment after failing a controlled substance screening and failure to become employed within thirty days of the screening shall result in a recalculation of the AFDC and food stamp benefits for the household without considering the needs of the caretaker recipient.**

Section 2. The suspension of caretaker benefits shall be imposed until the caretaker becomes employed or is actively engaged in community work experience. The recipient shall have the right to a review with the director of the division of family services or the director's designee if a sanction is imposed.

Section 3. The director of the department of social services shall apply to the United States Secretary of Health and Human Services for waivers required to implement the provisions of this section."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

Amend House Bill No. 1055, Page 1, Section 208.010, Line 1 by inserting immediately before said line, the following:

"**191.809. No one shall be eligible under the provisions of section 191.807, RSMo, authorizing the "Special Supplemental Food Program for Women, Infants and Children" ("WIC") in Missouri, as authorized by the federal Child Nutrition Act of 1966, as amended, Section 17, Public Law 92-433, after September 1, 1998.**

205.959. No one shall be eligible under the provisions of sections 205.960 to 205.965, RSMo, authorizing the Missouri "Food Stamps" program, as authorized by the federal Food Stamp Act of 1977, as amended, Public Law 95-113, and the Missouri "Commodity Supplemental Food Program", as authorized by the federal Agriculture and Consumer Protection Act of 1973, Sections 4(a) and 5, as amended, Public Law 93-86, after September 1, 1998."; and

Further amend said bill, page 5, section 208.010, line 154, by inserting immediately after said line, the following:

"**208.016. No one shall be eligible under the provisions of section 208.010, RSMo, and section 208.015, RSMo, authorizing the "General Relief" program, shall expire on September 1, 1998.**

208.038. No one shall be eligible under the provisions of section 208.040, RSMo, and section 208.041, RSMo, authorizing the Missouri "Aid to Families with Dependent Children" program ("AFDC"), as authorized by the federal Social Security Act, as amended, Title I, Title IV, Part A, Title X, Title XIV, Title XVI (AABD), Title II, Public Laws 97-35, 97-248, 97-300, 98-369 and 100-485, after July 1, 1998.

208.427. No one shall be eligible under the provisions of sections 208.400 to 208.425, RSMo, authorizing the "Job Opportunities and Basic Skills Training" program ("JOBS" or "FUTURES"), after September 1, 1997.

208.515. No one shall be eligible under the department of social services' authority to accept those payments for child care assistance authorized by the federal Child Care and Development Block Grant Act of 1990 and the Omnibus Budget Reconciliation Act of 1990, Section 5082, Public Law 101-508, as amended, after July 1, 1999.

208.516. No one shall be eligible for the department of social services' authority to accept those social services block grants authorized by the federal Social Security Act, Title XX, as amended, after July 1, 1999.

620.038. No one shall be eligible for the provisions of section 620.1037, RSMo, authorizing the "Twenty-first Century Communities Demonstration Project", after July 1, 1997."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 10

AMEND House Bill No. 1055, page 4, section 208.010, lines 91-98, by deleting all of said lines; and

Further amend said bill, page 8, line 107, by deleting on said line the words "one thousand five hundred" and inserting in lieu thereof the words "five thousand"; and

Further amend said bill, page 8, lines 110 and 111, by deleting on said lines the words "one thousand five hundred" and inserting in lieu thereof the words "five thousand".

Senate Amendment No. 11

AMEND House Bill No. 1055, Page 5, Section 208.010, Line 154, by inserting immediately after said line, the following:

"**208.517. 1. Subject to appropriation and receipt of waivers of requirements under federal law necessary to implement this program, the division of family services shall establish a Family Stability Demonstration Project within the St. Louis metropolitan statistical area as established by the 1990 federal decennial census, which will allow up to two hundred and fifty, two parent families to receive AFDC benefits they would be ineligible to receive because of their marital status.**

2. The cost of providing medical assistance to persons ineligible to receive medical assistance except for the family stability demonstration project shall be appropriated from the health initiatives fund.

208.520. 1. Family stability demonstration project participants shall be selected from families meeting the following criteria and requirements:

(1) Eligible families must volunteer and apply to participate in the family stability demonstration project;

(2) Eligible families must have been eligible for and received AFDC in at least twelve of the thirty-six months preceding their application;

(3) Eligible families must have or will become ineligible for AFDC benefits because of the caretaker parent's marriage to the parent of an eligible child;

(4) The family stability demonstration project shall be available to qualifying applicants in each county within the St. Louis Metropolitan Statistical area;

(5) The division of family services may establish additional eligibility criteria consistent with implementing the family stability demonstration project.

2. Family stability demonstration project participants shall be subject to the following eligibility restrictions:

(1) The parent marrying the caretaker parent shall not be eligible for benefits and those benefits based upon the number of family members shall not increase because that parent is part of the family;

(2) Participating families may only participate in the family stability demonstration project for a period of two years, unless an extension is warranted by extraordinary circumstances.

3. Family Stability Demonstration Project participants shall be eligible to receive the following benefits:

(1) Minor children and other otherwise eligible persons shall not suffer penalty or disqualification because the family participates in the family stability demonstration project;

(2) Both parents shall be eligible to participate in FUTURES and other applicable education, training and support programs;

(3) Participating families may earn income up to one hundred percent of the federal poverty level.

208.523. The division of family services shall conduct research to determine the relationship between the current eligibility requirements for AFDC and the limited number of two parent families qualifying for AFDC, and shall make an annual report before Thanksgiving to the governor and the general assembly relating to removing artificial barriers in public assistance programs which discourage marriage and family stability.

208.525. The division of family services shall make all necessary applications and follow all procedures necessary to receive the waivers of requirements under federal law necessary to implement this program and shall promulgate the rules and regulations necessary to implement the family stability demonstration project pursuant to section 208.174 and chapter 536.

Section B. The provisions of sections 208.517, 208.520, 208.523 and 208.525 of this act shall expire on December 31, 1999."; and

Further amend the title and enacting clause accordingly

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees are allowed to exceed the difference on **SCS HB 1097**.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, May 1, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Fourth Day, Monday, April 29, 1996, pages 4 and 5, roll call, by showing Representatives Richardson and Jacob voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

AGRICULTURE

Wednesday, May 1, 1996, 1:00 pm. Hearing Room 8.

To be considered - SCR 26

BUDGET

Wednesday, May 1, 1996. Hearing Room 9 upon morning adjournment.

Executive session. Amended Notice

To be considered - SB 507, SB 795, SB 506, SB 640, HB 1172

Sixty-fifth Day-Tuesday, April 30, 1996

CHILDREN, YOUTH, AND FAMILIES

Wednesday, May 1, 1996, 8:30 am. Hearing Room 5.

To be considered - Executive Session - SB 569, Executive Session - SB 488

CIVIL AND CRIMINAL LAW

Wednesday, May 1, 1996. Hearing Room 7 upon evening adjournment.

Executive Session

COMMERCE

Thursday, May 2, 1996, 9:00 am. Hearing Room 5. Executive session.

To be considered - SB 723

ENERGY AND ENVIRONMENT

Thursday, May 2, 1996, 8:30 am. Hearing Room 8. Executive session.

To be considered - SB 538

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Wednesday, May 1, 1996. Side gallery upon afternoon adjournment.

Executive session may follow.

To be considered - SB 838

MUNICIPAL CORPORATIONS

Wednesday, May 1, 1996. Hearing Room 7 upon morning adjournment.

To be considered - SB 981, HCR 13

SUB-COMMITTEE ON ENERGY & ENVIRONMENT

Wednesday, May 1, 1996, 8:30 am. Room 114A.

To be considered - SB 538

HOUSE CALENDAR

SIXTY-SIXTH DAY,WEDNESDAY, MAY 1, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer

48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HS HCS HB 1172, E.C. (Budget Fiscal 4-29-96) - Jacob

HCS HB 1588 - Overschmidt

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE JOINT RESOLUTION FOR THIRD READING

SJR 29 - Leake

SENATE BILLS FOR THIRD READING

1 SS SCS SB 507, (Budget Fiscal 4-25-96) - Mays (50)
2 HCS SS SCS SB 795,542 & 563, (Budget Fiscal 4-25-96) - Stoll
3 SB 506, (Budget Fiscal 4-25-96) - McBride
4 SS SB 521, HCA 1, E.C. - Tate
5 HCS SB 683 - Leake
6 SB 703 - McLuckie
7 HCS SB 780 - Koller
8 SB 952 - Lumpe
9 HCS SS SCS SB 494, E.C. - Witt
10 HCS SB 933 - Griesheimer
11 SCS SB 640, HCA 1 (Budget Fiscal 4-30-96) - Witt

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

SB 854 - Backer

HOUSE BILLS WITH SENATE AMENDMENTS

SCS HS HCS HB 1069,794,807,936,1128,1153,1202 - Kelly (27)

SCS HCS HB 904,788 & 966, as amended - Lakin

BILLS IN CONFERENCE

1 SCS HCS HB 1002, as amended - Franklin
2 SCS HCS HB 1003, as amended - Franklin
3 SCS HCS HB 1004 - Green
4 SCS HCS HB 1005, as amended - Green
5 SCS HCS HB 1006, as amended - Tate
6 SCS HCS HB 1007 - Tate
7 SCS HCS HB 1008 - Franklin
8 SCS HCS HB 1009, as amended - Troupe
9 SCS HCS HB 1010, as amended - Carter
10 SCS HCS HB 1011 - Troupe
11 SCS HCS HB 1012 - Green
12 HCS SCS SB 657 - Legan

13 HCS SB 676 - Smith
14 HCS SS SB 687, as amended - Lumpe
15 SCS HCS HB 895 & HB 986, E.C. - Ostmann
16 SCS HB 1097 - Hosmer
17 CCR SCS HB 1466 - Rizzo

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

HR 791 - Witt

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SIXTY-SIXTH DAY, Wednesday, May 1, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

On this first day of May, O God of Life, let us enjoy the ever present signs of your creation. Let us take time in the midst of the hectic pace we live to see the green of the trees and to smell the aroma of newly-opened flowers. Your creation calls us to remember that there is something alive and well beyond the confines of these four walls.

In these closing days of this session, guide these representatives and make them aware of a mandate higher than that of the ballot box, a mandate to legislate wisely and well. May your strength help them face the problems that confront them, not only by giving them wisdom greater than their own, but by relieving their minds of all other anxieties.

God of Past, Present and Future, remind us all that, even as we look to the future, we can only take one step at a time, one day at a time. Show us where duty lies and give us a push to stay on the right path.

Reassure us with your presence in all that we do. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Scott Engert, Jesse Steffens, Renee Schlichting, Rachel Kappel, Eric Langemach, Callie Fleming, Sara Barnes, Abby Schulenberg, Mallory Storer, Ben Reine, Jacob Wedekind, Jared Nuckolls, Adam Phillips, Rebecca Danis, Bridget Ryder, Brianne Ryder, Zachary Eubank, Miranda Unnerstall, Jessica Drees, Jared Lause and John Bolzenius.

The Journal of the sixty-fifth day was approved as corrected.

RESOLUTIONS

Representative Kreider offered House Resolution No. 1009, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hosmer offered House Resolution No. 1010, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Murray (135) offered House Resolution No. 1011, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 1012, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Surface offered House Resolution No. 1013, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 1014, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1015, which was referred to the Committee on Miscellaneous Bills and Resolutions.

The Speaker assumed the Chair.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HB 1469, HB 1355, SCS HB 1304 and HB 1110**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1588**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

HOUSE BILL WITH SENATE AMENDMENT

SCS HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202, relating to maternity benefits, was taken up by Representative Kelly (27).

On motion of Representative Kelly (27), **SCS HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202**, was adopted by the following vote:

AYES: 155

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 004

Elliott	Hohulin	Loudon	Marshall 133

PRESENT: 001

Auer

ABSENT WITH LEAVE: 002

Clayton Sombart

VACANCY: 001

On motion of Representative Kelly (27), **SCS HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202** was truly agreed to and finally passed by the following vote:

AYES: 148

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Canuteson	Carter	Childers	Chrismer	Cierpiot
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 005

Elliott	Hohulin	Loudon	Marble	Marshall 133

PRESENT: 001

Auer

ABSENT WITH LEAVE: 008

Burton	Champion	Clayton	Gaskill	Luetkenhaus
Ribaudo	Sombart	Thompson 37		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

HOUSE RESOLUTION

HR 791, relating to use of Chamber, was taken up by Representative Witt.

On motion of Representative Witt, **HR 791** was adopted by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Steen	Stokan	Stoll
Summers	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 003

Broach	Koller	Surface

PRESENT: 000

ABSENT WITH LEAVE: 002

Sombart	Troupe

VACANCY: 001

THIRD READING OF SENATE JOINT RESOLUTION

SJR 29, relating to sewage treatment plants, was taken up by Representative Leake.

On motion of Representative Leake, **SJR 29** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26

Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 008

Boatright	Brown	Hendrickson	Hohulin	Ostmann
Sallee	Smith	Williams 121		

PRESENT: 000

ABSENT WITH LEAVE: 003

O'Neill	Ribaudo	Sombart

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Sears (1), title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Scheve moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

SS SB 521, with House Committee Amendment No. 1, relating to cooperative marketing associations, was taken up by Representative Tate.

Representative Tate moved that House Committee Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Tate, **SS SB 521** was truly agreed to and finally passed by the following vote:

AYES: 158

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting

Ostmann	Overschmidt	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Childers	O'Neill	Pauley	Sombart

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

HCS SB 683, relating to late charges; savings and loans, was taken up by Representative Leake.

Representative Carter requested a division of the question.

On motion of Representative Leake, **Part I of HCS SB 683** was adopted by the following vote:

AYES: 089

Alter	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Broach	Burton	Champion	Childers
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Elliott	Evans	Farnen	Fiebelman	Fitzwater
Ford	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Green	Griesheimer	Gross
Hall	Hand	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hohulin	Howerton	Jacob	Kasten
Kauffman	Keeven	Koller	Lakin	Leake
Legan	Liese	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	McClelland	Mitchell
Montgomery	Murray 135	Naeger	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Relford
Ribaudo	Richardson	Ridgeway	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Secrest	Skaggs	Steen	Summers	Thomason 163
Treadway	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Williams 159	Wooten	Mr. Speaker	

NOES: 067

Akin	Auer	Backer	Barry 100	Bland
Bonner	Boucher	Bray 84	Brown	Canuteson
Carter	Chrismer	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Farmer	Foley	Franklin	Goward
Gratz	Gunn	Hagan-Harrell	Harlan	Hartzler 124
Hoppe	Hosmer	Kelley 47	Kelly 27	Kissell
Klumb	Kreider	Levin	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Morgan	Murphy	Murray 69	Nordwald	O'Neill
O'Toole	Pryor	Reynolds	Rizzo	Schilling
Shear 83	Sheldon 104	Shelton 57	Shields	Smith

Stoll	Surface	Thompson 37	Troupe	Van Zandt
Wiggins	Williams 121			

PRESENT: 000

ABSENT WITH LEAVE: 006

Hickey	O'Connor	Sombart	Stokan	Tate

Witt

VACANCY: 001

Representative Levin offered House Amendment No. 1 to **Part II of HCS SB 683.**

Representative Leake raised a point of order that House Amendment No. 1 to **Part II of HCS SB 683** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Leake, **Part II of HCS SB 683** was adopted.

On motion of Representative Leake, **HCS SB 683** was read the third time and passed by the following vote:

AYES: 137

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Burton	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	Mays 50	McBride	McClelland
Mitchell	Montgomery	Murphy	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 023

Auer	Bland	Bray 84	Brown	Canuteson
Carter	Daniel 42	Days	Dougherty	Franklin
Gunn	Hartzler 124	Hosmer	May 108	McLuckie
Morgan	Murray 69	O'Toole	Reynolds	Smith
Thompson 37	Troupe	Van Zandt		

PRESENT: 000

ABSENT WITH LEAVE: 002

Sombart	Williams 121

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Ward, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 28.**

SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, the United States has long supported a just peace in Northern Ireland, one that can only be achieved with a settlement that protects the civil rights of all parties; and

WHEREAS, a cornerstone of United States immigration policy is reuniting families, and preferences are given to immediate family members seeking admission into the United States; and

WHEREAS, the United States has maintained a proud heritage that has centered around the ideals of liberty and support for international human rights, and has expressly condemned governments for their failure to help families reunite; and

WHEREAS, separating a person from loved ones causes great anguish for all those involved; and

WHEREAS, Matt Morrison sought refuge in the United States after having served his sentence as prescribed by the British Courts, and subsequently found sanctuary in this country, established a fine family, and made this great land his home; and

WHEREAS, Matt Morrison has worked, paid taxes, obeyed laws, and lived peaceably in the St. Louis area for the past ten years; and

WHEREAS, the Immigration and Naturalization Service has pending deportation proceedings against Matt Morrison, who is not wanted by the British Courts for a crime, and who is not suspected of a crime in the United States of America or in the United Kingdom; and

WHEREAS, these proceedings have provoked great controversy and criticism within Ireland and Great Britain and have been criticized by human rights organizations worldwide; and

WHEREAS, Matt Morrison's wife, Francie, and their two children are citizens of the United States of America; and

WHEREAS, the deportation of Matt Morrison would disrupt his family and separate him from his spouse and his American-born children in a manner that is repugnant to principles of United States Immigration policy and the oft-stated declarations of this nation; and

WHEREAS, many mentally-ill citizens in the St. Louis area would suffer directly if Matt's wife, Francie, who serves as Director of Places For People, is forced to leave this country; and

WHEREAS, Matt Morrison, his loving wife, Francie, and his two children, Matthew and Mary Kate, are united in their desire to keep the family intact, and the citizens of the City of St. Louis along with many friends and loved ones share this desire:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Eighty-eighth General Assembly, the House of Representatives concurring therein, hereby join the Board of Aldermen of the City of St. Louis in calling upon the United States Immigration and Naturalization Service to stay the deportation proceedings against Matt Morrison, who has served sentence for offenses stemming from the conflict in Northern Ireland, and to permit Mr. Morrison to remain in the United States with his family; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the United States Immigration and Naturalization Service.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 11.**

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

RESOLUTIONS

Representative Kauffman offered House Resolution No. 1016, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Prost offered House Resolution No. 1017, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Barnett offered House Resolution No. 1018, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 1019, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott, et al, offered House Resolution No. 1020, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears (1) offered House Resolution No. 1021, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ford offered House Resolution No. 1022, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McBride offered House Resolution No. 1023, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1024, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEES REPORTS

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023 and 1024** begs leave to report it has examined the same and recommends that they **Do Pass**.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HS HCS HB 1149, 1150 & 1240**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SS SCS SB 507 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HS HCS HBS 1149, 1150 & 1240 - Budget (Fiscal Note)

HCS SB 888 - Budget (Fiscal Note)

SIGNING OF SENATE JOINT RESOLUTION

All other business of the House was suspended while **SJR 32** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

BILL IN CONFERENCE

CCR SCS HB 1466, relating to sales/use tax, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **CCR SCS HB 1466** was adopted by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray 84	Broach	Brown

Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Fitzwater	Foster
Franklin	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Ford

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland	Daniels 41	Farmer	Foley	Froelker
Green	Thompson 37			

VACANCY: 001

On motion of Representative Rizzo, **CCS SCS HB 1466** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton	

57

Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Ford

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Daniels 41	Davis	Farmer	Froelker
Green	Keeven	Kelly 27	Klumb	Marshall 133

Thompson 37

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

SS SCS SB 507, relating to telecommunication companies, was taken up by Representative Mays (50).

Representative Schilling offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 507, Page 46, Section 392.530, Line 19 by inserting after said line the following:

"**Section 1. Any telecommunications company which is regulated by the public service commission and which publishes a phone book of customer listing shall be required to use a minimum type size as established by the public service commission.**"; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Burton raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Schilling moved that House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Mays (50), **SS SCS SB 507** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer

Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 003

Garnett	Kelly 27	Schilling

PRESENT: 001

Cierpiot

ABSENT WITH LEAVE: 003

Daniels 41	Hagan-Harrell	Treadway

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

Representative Witt assumed the Chair.

SB 703, relating to licensed clinical social workers, was taken up by Representative McLuckie.

Representative Treadway offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 703, page 2, section 376.381, line 41, by inserting: Such services may be provided by fee for service, managed care or similar contracting arrangement.

Representative Treadway moved that House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative McLuckie, **SB 703** was truly agreed to and finally passed by the following vote:

AYES: 144

Alter	Auer	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Boatright	Bonner	Boucher
Bray 84	Broach	Brown	Burton	Carter
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 123	Hartzler 124	

Heckemeyer				
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	
Luetkenhaus				
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	
Montgomery				
Morgan	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton
57				
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	
Wannenmacher				
Ward	Whiteside	Wieland	Wiggins	Williams
121				
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 007

Akin	Hall	Keeven	Linton	Marshall
133				
Murray 135	Pouche			

PRESENT: 000

ABSENT WITH LEAVE: 011

Backer	Bland	Canuteson	Champion	Daniels
41				
Davis	Foley	Pauley	Ribaudo	Thompson
37				

Troupe

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

HCS SB 780, relating to transportation regulation, was taken up by Representative Koller.

Representative Koller offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 780, page 66, section 2, line 12, by deleting the word "wholly" and inserting in lieu thereof the word "only", and

Further amending House Committee Substitute for Senate Bill No. 780, page 70, section 12, line 9, by deleting the word "wholly" and inserting in lieu thereof, the word "only".

On motion of Representative Koller, House Amendment No. 1 was adopted.

Representative Copeland offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 780, page 71, section 13, line 25, by inserting immediately following said line, the following section:

"Section 14. 1. For the purposes of assisting in the planning, acquisition, development and construction of transportation facilities other than highways in this state, there is hereby created in the state treasury a fund

known as the "State Transportation Assistance Revolving Fund". The fund shall receive all moneys which may be appropriated or otherwise credited to it by the general assembly and shall also receive any gifts, contributions, grants or bequests received from federal, private or other sources.

2. The state transportation assistance revolving fund shall be administered by the state highways and transportation commission which shall have the power to loan moneys in the fund to any political subdivision of the state or to any public or private not for profit organization or entity for:

(1) the planning, acquisition, development and construction of facilities for transportation by air, water, rail or mass transit;

(2) the purchase of vehicles for the transportation of elderly or handicapped persons; or

(3) the purchase of rolling stock for transit purposes.

No funds provided by this section shall be used for the payment of the operating expenses of such transportation facilities or for the construction or maintenance of state highways.

3. The state highways and transportation commission, by rule, shall established the procedures, conditions and repayment terms applicable to any loans or grants made under this section. An application fee or other charges may be assessed by the commission. Loans made under this section may be interest bearing or interest free.

4. Loaned funds and the interest, if any, accrued thereon which are repaid to the state highways and transportation commission shall be deposited in the state treasury to the credit of the state transportation assistance revolving fund and may be used by the commission for other eligible projects under this section.

5. Any balance in the state transportation assistance revolving fund remaining at the end of an appropriation period shall not be transferred to the general revenue fund and the provisions of section 33.080, RSMo, shall not apply to the fund. All interest earned upon the balance in the state transportation assistance revolving fund shall be deposited to the credit of the same fund."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Brown raised a point of order that House Amendment No. 2 is not germane to the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Copeland, House Amendment No. 2 was adopted.

Representative Crump (152) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 780, page 70, section 13, lines 3 and 4, by deleting all of said lines and by renumbering the remainder of the section.

Representative Koller raised a point of order that House Amendment No. 3 is not germane to the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Crump (152), House Amendment No. 3 was adopted.

Representative Bray offered House Amendment No. 4.

Representative Koller raised a point of order that House Amendment No. 4 is not germane to the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Harlan offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 780, page 42, section 389.996, line 6, by deleting the words "shall not" on said line, and inserting in lieu thereof the word "may"

Representative Hosmer offered House Substitute Amendment No. 1 for House Amendment No. 4.

House Substitute Amendment No. 1
for

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 780, page 42, section 389.996, line 6, by deleting all of the language after the period on said line. Amend the title and enacting clause accordingly.

Representative Hosmer moved that House Substitute Amendment No. 1 for House Amendment No. 4 be adopted.

Which motion was defeated.

Representative Harlan moved that House Amendment No. 4 be adopted.

Which motion was defeated.

On motion of Representative Koller, **HCS SB 780**, **as amended**, was adopted.

On motion of Representative Koller, **HCS SB 780, as amended** was read the third time and passed by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniels 41	Hohulin	Pauley	Ribaudo	Thompson 37

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Fiebelman, title to the bill was agreed to.

Representative Leake moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

SB 952, relating to nursing facility reimbursement allowance, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **SB 952** was truly agreed to and finally passed by the following vote:

AYES: 150

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Gaskill
Goward	Graham	Gratz	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 006

Akin	Evans	Green	Hartzler 124	Linton
Loudon				

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniels 41	Garnett	Gibbons	Pauley	Ribaudo
Thompson 37				

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Wiggins moved that the vote by which the bill passed be reconsidered.

Representative Ward moved that motion lay on the table.

The latter motion prevailed.

HCS SS SCS SB 494, relating to estates and trusts, was taken up by Representative Witt.

Representative Lograsso raised a point of order that **HCS SS SCS SB 494** is not germane to the original bill.

The Chair ruled the point of order not well taken.

Representative Scheve assumed the Chair.

Representative Kreider offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 494, Page 1, In the Title, Line 3, by inserting after the number "473.213," the following: "473.233,"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "twenty-four" and inserting in lieu thereof the word "twenty-five"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the number "473.213," the following: "473.233,"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "twenty-four" and inserting in lieu thereof the word "twenty-five"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the figure "473.213," the following: "473.233,"; and

Further amend said bill, Page 12, Section 473.213, Line 3, by inserting after all of said line the following:

"473.233. 1. Within thirty days after letters are granted, unless a longer time is granted by the court, the personal representative shall make and return an inventory and appraisement, in one written instrument, of all of the property of the decedent, including exempt property, which comes to his possession or knowledge, a statement of all encumbrances, liens, and other charges on any item, and all other property possessed by decedent at the time of his death. The property shall be classified therein as follows:

(1) Real property, with plat or survey description **and the street address or approximate direction and distance from any city or town, and the popular name thereof, if any**;

(2) Furniture, household goods, and wearing apparel, but no detailed appraisement or listing of the items thereof is required;

(3) Corporate stocks described by name, number of shares, class of stock;

(4) Mortgages, bonds, notes, and other written evidences of debt, together with interest due thereon, described by name of debtor, recording data, and other identification;

(5) Bank accounts, insurance policies payable to the personal representative, and money;

(6) All other personal property accurately identified, including a statement of the decedent's proportionate share in any partnership and of its net value as shown in the inventory required by section 473.220. No detailed appraisement or listing of the assets of the partnership property is required in the inventory filed by the personal representative;

(7) All property possessed but not owned by the decedent at his death shall be listed in the inventory, but separately from other property, together with a statement as to the knowledge of the personal representative as to its ownership.

2. At any time when it appears necessary, the judge or clerk may authorize the personal representative to employ a qualified and disinterested appraiser to assist him in ascertaining the fair market value, as of the date of the decedent's death, of any asset the value of which may be subject to reasonable doubt. Different persons may be employed to appraise different kinds of assets included in the estate. The name and address of any appraiser shall be indicated on the inventory with the item or items he appraised.".

On motion of Representative Kreider, House Amendment No. 1 was adopted.

Representative Fiebelman offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 494, page 2, section 214.270, line 16, by deleting the following: "**Directors and director's family within the third degree of affinity or consanguinity shall not be employed by the cemetery association.**"

On motion of Representative Fiebelman, House Amendment No. 2 was adopted.

On motion of Representative Witt, **HCS SS SCS SB 494**, **as amended,** was adopted.

On motion of Representative Witt, **HCS SS SCS SB 494, as amended,** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray 84	Broach	Brown

Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Ford
Foster	Franklin	Gibbons	Goward	Graham
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 002

Froelker	Gaskill

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Cooper	Daniels 41	Foley	Garnett
Green	Pauley	Ribaudo	Scott	Thompson 37

VACANCY: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 122

Alter	Auer	Backer	Ballard	Barry 100
Bennett 15	Bland	Bonner	Boucher	Bray 84
Brown	Burton	Canuteson	Carter	Champion
Childers	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Ford	Franklin	Goward	Graham
Griesheimer	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hoppe	Hosmer	Jacob	Kauffman	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Long	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Relford	Reynolds	Rizzo	Robirds
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher

Ward	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 034

Akin	Barnett 4	Bartelsmeyer	Boatright	Broach
Chrismer	Cierpiot	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Gratz
Gross	Hall	Hendrickson	Hohulin	Howerton
Kasten	Keeven	Linton	Lograsso	Loudon
Marble	Marshall 133	Richardson	Ridgeway	Ross
Steen	Surface	Whiteside	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniels 41	Foley	Garnett	Green	Pauley

Ribaudo

VACANCY: 001

On motion of Representative Luetkenhaus, title to the bill was agreed to.

Representative Lumpe moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

HCS SB 933, relating to liquor control, was taken up by Representative Griesheimer.

Representative Rizzo offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 933, page 10, section 311.680, lines 5 and 6, by striking the following on lines 5 and 6:

"; impose a civil penalty as authorized in subsection 2 of this section,"; and

Further amend said bill, section 311.680, line 8, by striking the following:

"; impose a civil penalty,"; and

Further amend said bill, section 311.680, line 9, by striking the following on said line:

"civil penalty,"; and

Further amend said bill, same page, section 311.680, lines 10 through 13, by striking all of lines 10 through 13 and inserting in lieu thereof the following:

"**2. Any wholesaler licensed pursuant to chapter 311 or 312, RSMo, in lieu of, or in addition to, the warning, probation, suspension or revocation authorized in subsection 1. of this section, may be assessed a civil penalty by the supervisor of liquor control of not less than one hundred dollars or more than twenty-five hundred dollars for each violation.**"

On motion of Representative Rizzo, House Amendment No. 1 was adopted.

HCS SB 933, as amended, was laid over.

SUPPLEMENTAL CALENDAR

May 1, 1996

SENATE BILLS FOR THIRD READING

HCS SCS SB 759 - Auer

HCS SB 904 - Wiggins

SB 783, HCA 1 -

SB 898 - Elliott

HCS SB 664 - Hartzler (123)

HCS SS SB 560 - May (108)

HCS SB 888, (Budget Fiscal 5-1-96) -

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 509**, entitled:

An act to repeal sections 303.024, 303.025, 303.026, 303.043, 303.044, 303.070, 303.290 and 379.203, RSMo 1994, relating to motor vehicle responsibility and to enact in lieu thereof nine new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 622**, entitled:

An act to repeal section 141.750, RSMo 1994, relating to delinquent taxes, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 695**, entitled:

An act to amend chapter 315, RSMo, by adding six new sections relating to the rights and obligations of innkeepers and guest.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #3 SB 852**, entitled:

An acto to repeal sections 163.011, 163.031, 163.172, 165.051 and 165.111, RSMo 1994, and sections 164.011 and 165.011, RSMo Supp. 1995, relating to the use of public school funds, and enacting ten new sections relating to the same subject, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 811**, entitled:

An act tor repeal sections 58.451, 58.720, 194.220 and 194.233, RSMo 1994, and section 194.240, RSMo Supp. 1995, relating to anatomical gifts, and to enact in lieu thereof five new sections relating to the same subject.

With Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 3, Senate Substitute Amendment No. 1 for Senate Amendment No. 4 and Senate Amendment No. 5.

Senate Amendment No. 1

Amend House Bill No. 811, Page 1, Section Title, Line 3 by adding after the words "anatomical gifts" the following: "**and duties of coroners**"; and

Further amend said bill, page 2, section 58.451, line 19, by inserting immediately after said line, the following:

"**2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county coroner. Immediately upon receipt of such notification, the coroner or the coroner's deputy shall make the determination if further investigation is necessary, based on information provided by the individual contacting the coroner, and immediately advise such individual of the coroner's intentions.**"; and

Further amend said bill and section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 3, line 69, by striking the number "8" and inserting in lieu thereof the number "**9**"; and

Further amend said bill, page 4, section 58.720, line 24, by inserting immediately after said line the following:

"**2. When a death occurs outside a licensed health care facility, the first licensed medical professional or law enforcement official learning of such death shall contact the county medical examiner. Immediately upon receipt of such notification, the medical examiner or the medical examiner's deputy shall make a**

determination if further investigation is necessary, based on information provided by the individual contacting the medical examiner, and immediately advise such individual of the medical examiner's intentions."; and

Further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 5, line 51, by striking the number "5" and inserting in lieu thereof the number "**6**".

Senate Substitute Amendment No. 1
for
Senate Amendment No. 3

Amend House Bill No. 811, Page 5, Section 194.220, Line 3 by inserting immediately after "death." the following: "**The donor may select specific organs or tissues for donation or may give all of his body for any purpose specified in section 194.230, the gift to take effect upon death.**"; and

Further amend said bill, page 8, section 194.240, line 59, by inserting immediately after said line the following:

"**9. The department of health shall collect information and publish an annual report which shall include the number of organ and tissue donations made in the state, the number of organ or tissue donations received by citizens of the state of Missouri, the number of organ or tissue donations transported outside the state boundaries and the cost of such organ or tissue donations.**".

Senate Substitute Amendment No. 1

for

Senate Amendment No. 4

AMEND House Bill No. 811, page 5, section 194.220, line 3, by inserting immediately after the word "gift" on said line the words "of designated, specific organs or tissue of his body"

Senate Amendment No. 5

AMEND House Bill No. 811, page 6, section 194.233, line 16, by deleting the word "or" on said line and inserting in lieu thereof the words "and no".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1098**, entitled:

An act to repeal section 32.057, RSMo 1994, relating to taxation, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2 and Senate Amendment No. 2, as amended.

Senate Amendment No. 1

Amend House Bill No. 1098, Page 4, Section 32.057, Line 105 of said section by inserting immediately after said line the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of

business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(3) For the purposes of this section, a transaction involving the sale of tangible property is:

(a) "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

(b) "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

(c) Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state;

(d) [This subdivision shall not apply and subdivision (2) of subsection 2 of this section shall apply to transactions in which tangible property was moved from within this state to another state prior to shipment to the purchaser or in which both the seller's shipping point and the purchaser's destination point of tangible property are determined to be in states which do not have jurisdiction to impose a franchise or an income tax on the taxpayer regardless of whether the states impose such a tax;

(e)] For purposes of this subdivision the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale, and the seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions.

143.631. 1. Within sixty days (one hundred fifty days if the taxpayer is outside the United States) after the mailing of a notice of deficiency, the taxpayer may file with the director of revenue a written protest against the proposed assessment in which he shall set forth the grounds on which the protest is based. If a protest is filed, the director of revenue shall reconsider the proposed deficiency.

2. A taxpayer's protest may include a request for an informal hearing with the director. If such a request is made, an informal hearing shall be heard. The informal hearing shall be a forum for discussion of the merits of the proposed assessment. The parties shall also consider the possibility of negotiating a settlement of the contested tax liability.

[2.] **3.** If a taxpayer has filed a timely protest under subsection 1 of this section, the taxpayer may, at any time before an assessment has become final, make a deposit with the director of revenue of any part or all of the tax, interest, additions to tax or penalties proposed in the notice of deficiency. The deposit shall be accompanied by a written statement setting forth:

(1) The identification of the tax and the tax period to which the deposit applies;

(2) The amount of tax, interest, additions to tax or penalties to which the deposit is to be applied by the director; and

(3) Such other identifying information as the director of revenue may by regulation provide.

[3.] **4.** Upon receipt of a timely deposit under subsection 2 of this section, the director of revenue shall issue a receipt to the taxpayer acknowledging receipt of the deposit, and confirming the amount of tax, interest, additions to tax and penalty to which the deposit has been applied. All such deposits shall be deposited in the general revenue fund of the state as payments of tax, interest, additions to tax and penalty, as the case may be. The director of revenue shall refuse the tender of any deposit which does not satisfy the requirements of this section, and shall return such payment to the taxpayer.

[4.] **5.** A taxpayer which had made a deposit under this section which has been accepted by the director of revenue may at any time before an assessment has become final or an action has been filed in the circuit court of Cole County under subsection 5 of section 143.841, request in writing that the director of revenue return the deposit to the taxpayer. The director of revenue shall return such deposit without interest if a written request is made. The taxpayer's request for return of a deposit shall not be treated under this chapter as a claim for refund for purposes of section 143.821.

[5.] **6.** The payment under protest provision provided by this section shall only apply to taxes imposed by this chapter and shall not be incorporated by reference to apply to taxes imposed by other chapters.

143.781. 1. The director of revenue within the applicable period of limitations may credit an overpayment of income tax and interest on such overpayment against any liability in respect of any tax imposed by the tax laws of this state on the person who made the overpayment, and the balance shall be **credited or** refunded if it exceeds one dollar. Overpayments shall be determined by taking into account any deposit made by a taxpayer under section 143.631, except a deposit which has been returned to a taxpayer pursuant to a written request. Unless directed otherwise by a taxpayer, the director of revenue may credit all or part of the overpayment of a taxpayer on a joint or combined return against the amount of tax due from his spouse.

2. If the amount allowable as a credit for tax withheld from the taxpayer exceeds his tax to which the credit relates, the excess shall be considered an overpayment.

3. If there has been an overpayment of tax required to be deducted and withheld under section 143.191, **a**

credit or refund shall be made to the employer only to the extent that the amount of the overpayment was not deducted and withheld by the employer.

4. The director of revenue may prescribe regulations providing for the crediting against the estimated income tax for any taxable year of the amount determined to be an overpayment of the income tax for a preceding taxable year.

5. If any amount of income tax is assessed or collected after the expiration of the period of limitations properly applicable thereto, such amount shall be considered an overpayment.

6. The provisions of sections 143.781 to 143.841 to the contrary notwithstanding, a **credit or** refund, or any portion thereof, shall be transferred to the state agency to set off a debt due and owing to the state agency as provided in sections 143.782 to 143.788. When any action is taken pursuant to sections 143.782 to 143.788, the provisions of sections 143.782 to 143.788 shall govern all aspects of any rights and entitlement to **credits or** refunds covered by such action. If there is a final determination that the taxpayer is entitled to receive all or part of the setoff pursuant to the provisions of sections 143.782 to 143.788, the amount to which the taxpayer is entitled shall bear interest as provided in section 143.811, beginning sixty days after such setoff.

143.811. 1. Under regulations prescribed by the director of revenue, interest shall be allowed and paid at the rate determined by section 32.065, RSMo, on any overpayment in respect of the tax imposed by sections 143.011 to 143.996[; except that, where the overpayment resulted from the filing of an amendment of the tax by the taxpayer after the last day prescribed for the filing of the return, interest shall be allowed and paid at the rate of six percent per annum]. With respect to the part of an overpayment attributable to a deposit made pursuant to subsection 2 of section 143.631, interest shall be paid thereon at the rate in section 32.065, RSMo, from the date of the deposit to the date of refund. No interest shall be allowed or paid if the amount thereof is less than one dollar.

2. For purposes of this section:

(1) Any return filed before the last day prescribed for the filing thereof shall be considered as filed on such last day determined without regard to any extension of time granted the taxpayer;

(2) Any tax paid by the taxpayer before the last day prescribed for its payment, any income tax withheld from the taxpayer during any calendar year, and any amount paid by the taxpayer as estimated income tax for a taxable year shall be deemed to have been paid by him on the fifteenth day of the fourth month following the close of his taxable year to which such amount constitutes a credit or payment.

3. For purposes of this section with respect to any withholding tax:

(1) If a return for any period ending with or within a calendar year is filed before April fifteenth of the succeeding calendar year, such return shall be considered filed April fifteenth of such succeeding calendar year; and

(2) If a tax with respect to remuneration paid during any period ending with or within a calendar year is paid before April fifteenth of the succeeding calendar year, such tax shall be considered paid on April fifteenth of such succeeding calendar year.

4. If any overpayment of tax imposed by sections 143.011 to 143.996 is refunded within four months after the last date prescribed (or permitted by extension of time) for filing the return of such tax or within four months after the return was filed, whichever is later, no interest shall be allowed under this section on overpayment.

5. Any overpayment resulting from a carryback, including a net operating loss and a corporate capital loss, shall be deemed not to have been made prior to the close of the taxable year in which the loss arises.

144.020. 1. A tax is hereby levied and imposed upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) A tax equivalent to four percent on the basic rate paid or charged on all sales of service to telephone subscribers and to others through equipment of telephone subscribers for the transmission of messages and conversations, both local and long distance, and upon the sale, rental or leasing of all equipment or services pertaining or incidental thereto; except that, the payment made by telephone subscribers or others, pursuant

to section 144.060, shall not be considered as amounts paid for communication or telephone services or equipment;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the transportation division of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any tangible personal property had previously purchased the property under the conditions of "sale at retail" as defined in subdivision (8) of section 144.010 **or leased or rented the property** and the tax was paid at the time of purchase, **lease or rental,** the lessor**, sublessor,** [or] renter **or subrentor** shall not apply or collect the tax on the subsequent lease**, sublease,** [or] rental **or subrental** receipts from that property. The purchase or use of motor vehicles, trailers, boats, and outboard motors shall be taxed and the tax paid as provided in sections 144.070 and 144.440[, and]**.** No [such] tax shall [then] be collected on the rental or lease of motor vehicles, trailers, boats, and outboard motors, except as provided in sections 144.070 and 144.440. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof.

2. All tickets sold which are sold under the provisions of sections 144.010 to 144.510 which are subject to the sales tax shall have printed, stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or mistake on the part of the director of revenue, such fact shall be set forth in the records of the director of revenue, and the amount of the overpayment shall be credited on any taxes then due from the person legally obligated to remit the tax under sections 144.010 to 144.525, and the balance shall be refunded to the person legally obligated to remit the tax, his administrators or executors, as provided for in section 144.200.

2. If any tax, penalty or interest has been paid more than once, or has been erroneously or illegally collected, or has been erroneously or illegally computed, such sum **with interest as determined by section 32.065, RSMo,** shall be credited on any taxes then due from the person legally obligated to remit the tax under sections 144.010 to 144.510, and the balance[, with interest as determined by section 32.065, RSMo,] shall be refunded to the person legally obligated to remit the tax, but no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed within three years from date of overpayment. **The director of revenue shall within ninety days after receiving properly completed documentation from the taxpayer, refund taxes plus any interest due to the taxpayer from whom the tax was collected.**

3. Every claim for refund must be in writing under oath, and must state the specific grounds upon which the claim is founded. Any refund or any portion thereof which is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be recovered in any action brought by the director of revenue against the person legally obligated to remit the tax. In the event that a tax has been illegally imposed against a person legally obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon his record.

4. Notwithstanding the provisions of this section, the director of revenue shall authorize direct pay agreements to purchasers which have annual purchases in excess of seven hundred fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For the purposes of such direct pay agreements, the taxes authorized under chapters 66, RSMo, 67, RSMo, 92, RSMo, and 94, RSMo, shall be remitted based upon the location of the place of business of the purchaser. The deduction allowed in section 144.140 shall not be allowed to any person who is qualified to receive and has received the direct payment authorization as provided by this subsection."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

Amend House Bill No. 1098, Page 4, Section 32.057, Line 105 of said section by inserting immediately after said line the following:

"135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in [section 22(e) of the Internal Revenue Code of 1986, as amended] **subdivision 2 of this section**, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require. The residency requirement shall be deemed to have been fulfilled for the purpose of determining the eligibility of a surviving spouse for a property tax credit if a person of the age of sixty-five years or older who would have otherwise met the requirements for a property tax credit dies before the last day of the calendar year**. The residency requirement shall also be deemed to have been fulfilled for the purpose of determining the eligibility of a claimant who would have otherwise met the requirements for a property tax credit but who dies before the last day of the calendar year**;

(2) "Disabled", the inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve months. A claimant shall not be required to be gainfully employed prior to such disability to qualify for a property tax credit;

[(2)] **(3)** "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's length, of a homestead during the calendar year, exclusive of charges for health and personal care services and food furnished as part of the rental agreement, whether or not expressly set out in the rental agreement. If the director of revenue determines that the landlord and tenant have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid only if actually paid prior to the date a return is filed. The director of revenue may prescribe regulations requiring a return of information by a landlord receiving rent, certifying for a calendar year the amount of gross rent received from a tenant claiming a property tax credit and shall, by regulation, provide a method for certification by the claimant of the amount of gross rent paid for any calendar year for which a claim is made. The regulations authorized by this subdivision may require a landlord or a tenant or both to provide data relating to health and personal care services and to food. Neither a landlord nor a tenant may be required to provide data relating to utilities, furniture, home furnishings or appliances;

[(3)] **(4)** "Homestead", the dwelling in Missouri owned or rented by the claimant and not to exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. It may consist of part of a multidwelling or multipurpose building and part of the land upon which it is built. "Owned" includes a vendee in possession under a land contract and one or more tenants by the entireties, joint tenants, or tenants in common and includes a claimant actually in possession if he was the immediate former owner of record, if a lineal descendant is presently the owner of record, and if the claimant actually pays all taxes upon the property. It may include a mobile home;

[(4)] **(5)** "Income", Missouri adjusted gross income as defined in section 143.121, RSMo, less two thousand dollars as an exemption for the claimant's spouse residing at the same address, and increased, where necessary, to reflect the following:

(a) Social security, railroad retirement, and veterans payments and benefits unless the claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one hundred percent service-connected, disabled veteran. The one hundred percent service-connected disabled veteran shall not be required to list veterans payments and benefits;

(b) The total amount of all other public and private pensions and annuities;

(c) Public relief, public assistance, and unemployment benefits received in cash, other than benefits received under this chapter;

(d) No deduction being allowed for losses not incurred in a trade or business;

(e) Interest on the obligations of the United States, any state, or any of their subdivisions and instrumentalities;

[(5)] **(6)** "Property taxes accrued", property taxes paid, exclusive of special assessments, penalties, interest, and charges for service levied on a claimant's homestead in any calendar year. Property taxes shall qualify for the credit only if actually paid prior to the date a return is filed. The director of revenue shall require a tax receipt or other proof of property tax payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is that part of property taxes levied on the homestead which was actually paid by the claimant. For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to the director of revenue for collection. If a claimant owns a homestead part of the preceding calendar year and rents it or a different homestead for part of the same year, "property taxes accrued" means only taxes levied on the homestead both owned and occupied by the claimant, multiplied by the percentage of twelve months that such property was owned and occupied as the homestead of the claimant during the year. When a claimant owns and

occupies two or more different homesteads in the same calendar year, property taxes accrued shall be the sum of taxes allocable to those several properties occupied by the claimant as a homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value. For purposes of this subdivision "unit" refers to the parcel of property covered by a single tax statement of which the homestead is a part;

[(6)] **(7)** "Rent constituting property taxes accrued", twenty percent of the gross rent paid by a claimant and spouse in the calendar year."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 2

AMEND Senate Amendment No. 2 to House Bill No. 1098, page 1, section 135.010, line 19, by inserting after the word "disability" the following: "as defined hereinafter"

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1361.**

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 500**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SB 757**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Children, Youth and Families, Chairman Dougherty reporting:

Mr. Speaker: Your Committee on Children, Youth and Families, to which was referred **SS SS SB 488**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SS SCS SB 869**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Social Services, Medicaid and the Elderly, Chairman Boucher reporting:

Mr. Speaker: Your Committee on Social Services, Medicaid and the Elderly, to which was referred **SB 710**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 710, Page 7, Section 208.010, Line 205, by inserting immediately after said line the following:

"**208.331. 1. Notwithstanding any provision of law to the contrary, the department of social services shall have the power to adopt, amend and repeal rules and regulations necessary to implement any federal mandates related to AFDC which occur between May 1, 1996 and December 31, 1996 if federal monetary sanctions will be imposed for noncompliance before May 16, 1997. Any statute defining eligibility for public assistance benefits which conflict with new federal mandates shall be superseded and may be implemented by regulation adopted pursuant to this section and chapter 536, RSMo. If there are federal mandates as identified in this section, the department shall notify the Joint Committee on Welfare Reform which is hereby established and shall consist of the chair of the house budget committee, the chair of the senate appropriations committee, four members of the house of representatives appointed by the speaker of the house, and four members of the senate appointed by the president pro tem of the senate. The department shall fully inform the joint committee on welfare reform of all changes and alternatives being considered because of the federal changes. All rules authorized under this section and proposed by the department shall be adopted as provided in chapter 536, RSMo.**

2. The provisions of this section shall terminate on May 16, 1997."; and

Further amend the title and enacting clause accordingly.

CONFERENCE COMMITTEE REPORT
ON SENATE COMMITTEE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 895
AND HOUSE BILL NO. 986

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 895 and House Bill No. 986, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 895 and House Bill No. 986.

2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 895 and House Bill No. 986.

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Bill Luetkenhaus	/s/ Steve Ehlmann
/s/ Pat Dougherty	/s/ Larry Rohrbach
/s/ Don Kissell	/s/ Harold Caskey
/s/ Cindy Ostmann	/s/ Jim Mathewson
/s/ Emmy McClelland	/s/ Ted House

CONFERENCE COMMITTEE REPORT
ON SENATE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 1097

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Bill No. 1097, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1097.

2. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 1097.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 1097 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Chuck Wooten	/s/ Roseann Bentley
/s/ Craig Hosmer	/s/ Betty Sims
/s/ Mike Schilling	/s/ John E. Scott
/s/ Connie Wible Murray	/s/ Bill McKenna
/s/ Phil Smith	/s/ Joe Moseley

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, May 2, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Fifth Day, Tuesday, April 30, 1996, pages 1 and 2, roll call, by showing Representatives Akin, Loudon, Gunn, Champion, Murray (69), Murray (135) and Kelly (27) voting "aye" rather than "absent with leave".

Pages 2 and 3, roll call, by showing Representative Lakin voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Champion, Murray (69) and Kelly (27) voting "aye" rather than "absent with leave".

Page 18, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

Pages 20 and 21, roll call, by showing Representatives Richardson and Naeger voting "aye" rather than "absent with leave".

Pages 23 and 24, roll call, by showing Representatives Lakin and Hosmer voting "aye" rather than "absent with leave".

Pages 25 and 26, roll call, by showing Representative Champion voting "aye" rather than "absent with leave".

Page 31, roll call, by showing Representatives Liese and Hosmer voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, May 2, 1996, 8:30 am. Hearing Room 9. Executive session on previously heard bills.

COMMERCE

Thursday, May 2, 1996, 9:00 am. Hearing Room 5. Executive session.

To be considered - SB 723

ENERGY AND ENVIRONMENT

Thursday, May 2, 1996, 8:30 am. Hearing Room 8. Executive session.

To be considered - SB 538

INSURANCE

Thursday, May 2, 1996, 9:30 am. Side gallery.

To be considered - Executive Session - SB 597

MUNICIPAL CORPORATIONS

Thursday, May 2, 1996. Side gallery upon morning adjournment. Executive session. Corrected Notice

TRAVEL COMMITTEE

Monday, May 6, 1996, 1:00 pm. Hearing Room 5.

HOUSE CALENDAR

SIXTY-SEVENTH DAY,THURSDAY, MAY 2, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)

42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS,as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HS HCS HB 1172, E.C. (Budget Fiscal 4-29-96) - Jacob

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR SECOND READING

SB 509

SB 622

SB 695

SS#3 SB 852

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 795,542 & 563, (Budget Fiscal 4-25-96) - Stoll
2 SB 506, (Budget Fiscal 4-25-96) - McBride
3 HCS SB 933, as amended - Griesheimer
4 SCS SB 640, HCA 1 (Budget Fiscal 4-30-96) - Witt
5 HCS SCS SB 759 - Auer
6 HCS SB 904 - Wiggins
7 SB 783, HCA 1 -
8 SB 898 - Elliott
9 HCS SB 664 - Hartzler (123)
10 HCS SS SB 560 - May (108)
11 HCS SB 888, (Budget Fiscal 5-1-96) -

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

SB 854 - Backer

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 904,788 & 966, as amended - Lakin

BILLS IN CONFERENCE

SCS HCS HB 1002, as amended - Franklin
SCS HCS HB 1003, as amended - Franklin
SCS HCS HB 1004 - Green
SCS HCS HB 1005, as amended - Green
SCS HCS HB 1006, as amended - Tate
SCS HCS HB 1007 - Tate
SCS HCS HB 1008 - Franklin
SCS HCS HB 1009, as amended - Troupe
SCS HCS HB 1010, as amended - Carter
SCS HCS HB 1011 - Troupe
SCS HCS HB 1012 - Green
HCS SCS SB 657 - Legan
HCS SB 676 - Smith
HCS SS SB 687, as amended - Lumpe
CCR SCS HCS HB 895 & HB 986, E.C. - Ostmann
CCR SCS HB 1097 - Hosmer

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 774, (4-17-96, pg. 10) - Luetkenhaus

HR 782, (4-17-96, pg. 11) - Farnen

COURTESY RESOLUTIONS

HR 854 - Barry

HR 855, and HR 856 - Bennett

HR 857 - Surface

HR 858 - Copeland

HR 859 - Hartzler (124)

HR 860 - Koller

HR 861, through HR 878 - Scott

HR 879 - Ross

HR 880, and HR 881 - Ridgeway

HR 882, through HR 886 - Kelley (47)

HR 887, through HR 901 - Murray (135)

HR 902 - McClelland

HR 903 - Farmer

HR 904, through HR 918 - Murray (135)

HR 919, through HR 921 - Lograsso

HR 922, through HR 936 - Murray (135)

HR 937 - Treadway

HR 938, and HR 939 - Pauley

HR 940 - Surface

HR 941 - Sombart

HR 942 - Evans

HR 943 - Howerton

HR 944 - Loudon

HR 945, through HR 968 - Murray (135)

HR 969 - Liese

HR 970, through HR 972 - Marble

HR 973 - Levin

HR 974, through HR 983 - Murray (135)

HR 984 - Fitzwater

HR 985, through HR 987 - Kelley (47)

HR 988, through HR 1008 - Murray (135)

HR 1009 - Kreider

HR 1010 - Hosmer

HR 1011 - Murray (135)

HR 1012 - Treadway

HR 1013 - Surface

HR 1014 - Gaw

HR 1015 - Backer

HR 1016 - Kauffman

HR 1017 - Prost

HR 1018 - Barnett

HR 1019 - Clayton

HR 1020 - Elliott

HR 1021 - Sears (1)

HR 1022 - Ford

HR 1023 - McBride

HR 1024 - Williams (121)

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SIXTY-SEVENTH DAY, Thursday, May 2, 1996

Representative Witt in the Chair.

Prayer by Reverend Michael Coleman, Herman United Methodist Church, Herman, Missouri.

Almighty God, who governs the world in righteousness, and whose judgements are true and righteous altogether, grant that those who rule over our beautiful state and who legislate for us, its citizens, may be of one mind to establish justice and promote the welfare of all our people.

As you anointed leaders and called forth prophets of old, bring to us again Your "Spirit" which makes holy and call forth from this August assembly today new prophets and new leaders who will deliver Your message of truth, and not just their own.

Lead us to recognize those true representatives and authentic leaders as men and women walk with You, who love Your people and can walk with them, who feel their pain and share their joys, who dream their dreams and strive to accompany them to their common goal.

In Your fire, with Your Spirit, embolden and commission us to empower our elected state officials to serve in ways that bring real glory to Your name.

Endow each of these, our State Representatives, with a right understanding, pure purposes, and sound speech. Enable them to rise above all self-seeking and party zeal to the nobler concerns of public good and human brotherhood.

Cleanse our public life of every evil, subdue in our state all that is harmful and make us a disciplined and devoted people, that we may do Your will on earth as it is done in heaven.

We ask these things, O God, in the name of Jesus, Your Son, the Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Heather Maruska, Alexandra O'Toole, Timothy O'Toole, Katherine O'Toole, Tammy Redding, David Williams, Brandi Anstine, Dusty Wharton, Melissa Stegner, Julie Stegner and Samantha Walden.

The Journal of the sixty-sixth day was approved as corrected.

RESOLUTIONS

Representative Marble offered House Resolution No. 1025, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Vogel offered House Resolution No. 1026, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Heckemeyer offered House Resolution No. 1027, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives VanZandt and Morgan offered House Resolution No. 1028, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stokan offered House Resolution No. 1029, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Farnen offered House Resolution No. 1030, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution Nos. 1031 through 1039 which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shields offered House Resolution No. 1040, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Reynolds offered House Resolution No. 1041, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bonner offered House Resolution Nos. 1042 and 1043, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum (112) offered House Resolution No. 1044, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution Nos. 1045 through 1058, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelly (27) offered House Resolution No. 1059, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelly (27), et al, offered House Resolution No. 1060, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kissell offered House Resolution No. 1061, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 854 through 1024 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 854 through 1024 were adopted.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1168, HB 1223, HB 1131, HB 1093, HB 791, HB 1086 and HB 1361**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS HB 1172 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SB 506 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SCS SB 640 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SS SCS SB 795, 542 & 563 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

SECOND READING OF SENATE BILLS

SB 509, SB 622, SB 695 and **SS#3 SB 852** were read the second time.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HBs 904, 788 and 966, as amended, relating to child immunizations, was taken up by Representative Lakin.

On motion of Representative Lakin, **SCS HCS HBs 904, 788 and 966, as amended,** was adopted by the following vote:

AYES: 138

Akin	Alter	Auer	Backer	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bonner	Bray 84
Broach	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Enz
Evans	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Loudon	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten		

NOES: 015

Ballard	Boatright	Elliott	Hall	Hohulin
Howerton	Long	Marble	Marshall 133	Murray 135
Robirds	Scott	Secrest	Steen	Surface

PRESENT: 000

Sixty-seventh Day-Thursday, May 2, 1996

ABSENT WITH LEAVE: 009

Bland	Boucher	Brown	Daniels 41	Farmer
Ford	Hosmer	Ribaudo	Mr. Speaker	

VACANCY: 001

On motion of Representative Lakin, **SCS HCS HBs 904, 788 and 966, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 137

Akin	Alter	Auer	Backer	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bonner	Boucher
Bray 84	Broach	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Davis	Days	Dougherty	Edwards-Pavia	Enz
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Levin	Liese	Linton	Lograsso	Loudon
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	

Montgomery				
Morgan	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten			

NOES: 015

Ballard	Boatright	Elliott	Evans	Hall
Hohulin	Howerton	Long	Marble	Marshall 133
Murray 135	Robirds	Scott	Steen	Surface

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Brown	Daniels 41	Donovan	Ford
Keeven	Legan	Ribaudo	Ward	Mr. Speaker

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

HOUSE RESOLUTION

HR 774, relating to use of chamber, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **HR 774** was adopted.

BILLS IN CONFERENCE

CCR SCS HCS HB 895 and HB 986, relating to school bus operator's permits, was taken up by Representative Ostmann.

On motion of Representative Ostmann, **CCR SCS HCS HB 895 and HB 986** was adopted by the following vote:

AYES: 142

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Kelly 27	Kissell	Klumb	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan

Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten			

NOES: 004

Hohulin	Lograsso	Steen	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown	Cierpiot	Daniel 42	Daniels 41	Ford
Goward	Green	Jacob	Keeven	Kelley 47
Koller	Ribaudo	Thompson 37	Troupe	Ward

Mr. Speaker

VACANCY: 001

On motion of Representative Ostmann, **CCS SCS HCS HB 895 and HB 986** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Ward
Wieland	Wiggins	Williams 121	Williams 159	Witt

Wooten

NOES: 004

Hohulin	Lograsso	Steen	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown	Cierpiot	Daniel 42	Daniels 41	Ford
Goward	Green	Keeven	Ribaudo	Thompson 37
Troupe	Mr. Speaker			

VACANCY: 001

Representative Witt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Akin	Alter	Auer	Backer	Ballard
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hickey
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Ward	Wiggins	Williams 121	Williams 159	Witt

Wooten

NOES: 007

Barnett 4	Hendrickson	Hohulin	Loudon	Steen
Whiteside	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Cierpiot	Daniels 41	Ford	Goward
Jacob	Keeven	Levin	Murphy	Ribaudo
Scott	Thompson 37	Troupe	Mr. Speaker	

VACANCY: 001

On motion of Representative Kreider, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Leake moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HB 1097, relating to first responder programs, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **CCR SCS HB 1097** was adopted by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland

Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kauffman	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown	Cierpiot	Daniels 41	Donovan	Ford
Goward	Kasten	Keeven	Klumb	Marshall 133
Ribaudo	Thompson 37	Troupe	Ward	Mr. Speaker

VACANCY: 001

On motion of Representative Hosmer, **CCS SCS HB 1097** was read the third time and passed by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee

Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

NOES: 001

Murphy

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown	Cierpiot	Daniels 41	Ford	Goward
Keeven	Klumb	Long	Marshall 133	Ostmann
Ribaudo	Thomason 163	Thompson 37	Troupe	Ward

Mr. Speaker

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Scheve, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF HOUSE BILL

HS HCS HB 1172, relating to sales and use tax, was taken up by Representative Jacob.

On motion of Representative Jacob, **HS HCS HB 1172** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Kelley 47
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown	Cierpiot	Daniels 41	Ford	Goward
Keeven	Kelly 27	Klumb	Linton	Ribaudo
Thompson 37	Troupe	Mr. Speaker		

VACANCY: 001

Representative Witt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt

Wooten

NOES: 003

Hohulin	Loudon	Steen

PRESENT: 000

Sixty-seventh Day-Thursday, May 2, 1996

ABSENT WITH LEAVE: 013

Brown	Cierpiot	Daniels 41	Ford	Goward
Keeven	Klumb	Linton	Ribaudo	Richardson
Thompson 37	Troupe	Mr. Speaker		

VACANCY: 001

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Prost moved that motion lay on the table.

The latter motion prevailed.

COMMITTEE REPORTS

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SCS SB 777**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SS SCS SB 723 & 891**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Energy and Environment, Chairman Garnett reporting:

Mr. Speaker: Your Committee on Energy and Environment, to which was referred **SCS SB 538**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SCS SB 884 & 841**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and related Matters, to which was referred **SCS SB 719**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

Sixty-seventh Day-Thursday, May 2, 1996

House Committee Amendment No. 1

Amend SCS/Senate Bill No. 719, Page 1, Section Title, Line 3-4 by striking the words "public administrators" and inserting in lieu thereof the following: "certain county officials"; and

Further amend said bill, page 9, section 475.050, line 30, by inserting immediately after said line, the following:

"476.405. 1. Within the limits of any appropriation made for this purpose, the salary fixed by sections 211.381, 211.393, 477.130, 478.013, 478.018, 483.083, **483.163,** and 485.060, RSMo, may be adjusted in any one year by a salary adjustment. The salary adjustment shall not exceed the salary adjustment for the executive department contained in the pay plan applicable to other state employees at a similar salary level for that fiscal year. If no salary adjustment or a lower salary adjustment is granted pursuant to this section than is granted the executive department in any year, then the salary adjustment granted pursuant to this section in the next fiscal year may exceed the salary adjustment of the executive department by the amount of the difference in the prior year.

2. The amount of a salary adjustment to be approved pursuant to this section shall be stated in a separate line item of the appropriation bill. A salary adjustment approved pursuant to this section shall be added to the statutory salary and the sum of these amounts shall be the statutory salary of the office for all purposes. This statutory salary shall be included in the appropriation bill in the same manner as any other personal service appropriation involving a statutory salary.

3. The office of administration shall maintain a compensation schedule for each fiscal year indicating the highest statutory salary paid for each office specified in sections 211.381, 211.393, 477.130, 478.013, 478.018, 483.083, **483.163,** and 485.060, RSMo, and the salary adjustment contained in the pay plan applicable to other state employees generally. The schedule shall be open for public inspection and shall be annually included in the Missouri Register and an appendix to the Revised Statutes of Missouri. For each office for which a salary adjustment is approved pursuant to this section, the revisor of statutes shall place a revisor's note following each section providing compensation for the office referencing the reader to the compensation index.

483.163. 1. Each circuit clerk, except the circuit clerk in any city not within a county, shall cooperate with the prosecuting attorney and division of child support enforcement in the investigation and documentation of possible criminal nonsupport under section 568.040, RSMo, which involves any case or cases for which the clerk is trustee.

2. Other provisions of law to the contrary notwithstanding, for the performance of the duties prescribed in subsection 1 of this section, each circuit clerk, except the circuit clerk in any city not within a county, in addition to any other compensation provided by law, shall receive five thousand dollars per year beginning January 1, 1997. Such compensation shall be payable in equal installments in the same manner and at the same time as other compensation is paid to the circuit clerk.

3. For every year beginning July 1, 1998, the amount of increased compensation established in subsection 2 of this section shall be adjusted by any salary adjustment authorized under section 476.405, RSMo."; and

Further amend the title and enacting clause accordingly

Committee on Municipal Corporations, Chairman Shelton (57) reporting:

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **HCR 13**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 13

WHEREAS, the members of the Missouri House of Representatives consider it a primary function of this legislative body to ensure the health and well-being of the citizens of this state; and

WHEREAS, the people of the City of St. Louis and St. Louis County have been concerned over proposals relating to the operation of the St. Louis Metropolitan Sewer District; and

WHEREAS, recently, a special East-West Gateway Council appointed by St. Louis County Executive George R. (Buzz) Westfall conducted a study concerning options for the operation of the Metropolitan Sewer District, and as a result of that study, recommended that the Sewer District be privatized; and

WHEREAS, this recommendation has prompted citizens and leaders throughout the Metropolitan area to raise serious questions as to whether or not the privatization of the Metropolitan Sewer District would serve the best interests of the public; and

WHEREAS, an in-depth study needs to be conducted to determine what measures at the state level, if any, need to be taken to ensure that the needs and interests of the people of St. Louis have been fully considered with regard to the proposed privatization of the St. Louis Metropolitan Sewer District:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, that an interim committee of the General Assembly be created to be composed of five members of the House, to be appointed by the Speaker of the House, and five members of the Senate, to be appointed by the President Pro Tem of the Senate, and that said committee be authorized to function during the interim between the Eighty-eighth and the Eighty-ninth General Assemblies; and

BE IT FURTHER RESOLVED that said committee make a comprehensive study of the proposed privatization of the St. Louis Metropolitan Sewer District relating to its impact on welfare of the community, and conduct hearings in St. Louis County and St. Louis City to assess concerns over the proposed privatization and to obtain a full spectrum of opinions and suggestions concerning the management of the Metropolitan Sewer District; and

BE IT FURTHER RESOLVED that the committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission during the First Regular Session of the Eighty-ninth General Assembly; and

BE IT FURTHER RESOLVED that the Committee on Legislative Research, Senate Research and House Research provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the task force, its members, and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof, be paid from the Joint Contingent Fund.

Mr. Speaker: Your Committee on Municipal Corporations, to which was referred **SS SB 981**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendments Nos. 1, 2 and 3.**

House Committee Amendment No. 1

Amend Senate Substitute for Senate Bill No. 981, Page 4, Section 144.757, Lines 19 -20, by striking all of said lines and and inserting in lieu thereof the following "**of section 94.890, RSMo. The municipality shall within thirty days of the approval of the use tax imposed pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section**".

House Committee Amendment No. 2

AMEND Senate Substitute for Senate Bill No. 981, Page 4, Section 144.757, Line 11, by inserting after the word "**election**" on said line, the words "**prior to August 7, 1996, or after December 31, 1996**".

House Committee Amendment No. 3

AMEND Senate Substitute for Senate Bill 981, In the Title, Line 3, Page 1, by deleting the word "five" and inserting in lieu thereof the word "four";

And further amend said bill, In the Title, Line 4, Page 1, by deleting the words "and a termination date";

And further amend said bill, Section A, Line 2, Page 1, by deleting the figure"144.755,";

And further amend said bill, Section 144.763, Subsection 1, Line 1 of said subsection, Page 10, by deleting the words "Prior to January 1, 2002, there" and inserting in lieu thereof the word "There";

And further amend said bill, Section 144.763, Pages 10 - 11, by deleting all of subsections 2, 3 and 4 on said pages.

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1002

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1002, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1002, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill 1002, and the Conference Committee Substitute for House Bill No. 1002, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Richard Franklin	/s/ Wayne Goode
/s/ Doyle Childers	/s/ Emory Melton
/s/ Sandra Kauffman	/s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1003

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1003, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill 1003, and the Conference Committee Substitute for House Bill No. 1003, be adopted.

FOR THE HOUSE:FOR THE SENATE:

/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Richard Franklin	/s/ Wayne Goode
/s/ Doyle Childers	/s/ Emory Melton
/s/ Sandra Kauffman	/s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1004

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1004, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1004, and that the Senate recede from its position on House Committee Substitute for House Bill 1004, and the Conference Committee Substitute for House Bill No. 1004, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Timothy Green	/s/ Wayne Goode
/s/ Kenneth Legan	/s/ Emory Melton
/s/ Carl Vogel	/s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1005

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1005, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1005, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill 1005, and the Conference Committee Substitute for House Bill No. 1005, be adopted.

Sixty-seventh Day-Thursday, May 2, 1996

FOR THE HOUSE:FOR THE SENATE:

/s/ Sheila Lumpe /s/ Mike Lybyer
/s/ Scott Lakin /s/ Harry Wiggins
/s/ Timothy Green /s/ Wayne Goode
/s/ Carl Vogel /s/ Emory Melton
Chuck Wooten /s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1006

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1006, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1006, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill 1006, and the Conference Committee Substitute for House Bill No. 1006, be adopted.

FOR THE HOUSE: FOR THE SENATE:
/s/ Sheila Lumpe /s/ Mike Lybyer
/s/ Scott Lakin /s/ Harry Wiggins
/s/ Phil Tate /s/ Wayne Goode
/s/ Bonnie Sue Cooper /s/ Emory Melton
/s/ James Graham /s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1007

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1007, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1007, and that the Senate recede from its position on House Committee Substitute for House Bill 1007, and the Conference Committee Substitute for House Bill No. 1007, be adopted.

Sixty-seventh Day-Thursday, May 2, 1996

FOR THE HOUSE:FOR THE SENATE:

/s/ Sheila Lumpe /s/ Mike Lybyer
/s/ Scott Lakin /s/ Harry Wiggins
/s/ Phil Tate /s/ Wayne Goode
/s/ Bonnie Sue Cooper /s/ Emory Melton
/s/ Emmy McClelland /s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1008

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1008, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1008, and that the Senate recede from its position on House Committee Substitute for House Bill 1008, and the Conference Committee Substitute for House Bill No. 1008, be adopted.

FOR THE HOUSE: FOR THE SENATE:
/s/ Sheila Lumpe /s/ Mike Lybyer
/s/ Scott Lakin /s/ Harry Wiggins
/s/ Richard Franklin /s/ Wayne Goode
/s/ Doyle Childers /s/ Emory Melton
/s/ Sandra Kauffman /s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1009

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1009, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1009, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill 1009, and the Conference Committee Substitute for House Bill No. 1009, be adopted.

Sixty-seventh Day-Thursday, May 2, 1996

FOR THE HOUSE:FOR THE SENATE:

/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Charles Troupe	/s/ Wayne Goode
/s/ Pat Kelley	/s/ Emory Melton
/s/ Connie Murray	/s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1010

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill 1010, and the Conference Committee Substitute for House Bill No. 1010, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Paula Carter	/s/ Wayne Goode
/s/ Laurie Donovan	/s/ Emory Melton
/s/ Charlie Shields	/s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1011

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1011, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1011, and that the Senate recede from its position on House Committee Substitute for House Bill 1011, and the Conference Committee Substitute for House Bill No. 1011, be adopted.

Sixty-seventh Day-Thursday, May 2, 1996

FOR THE HOUSE:FOR THE SENATE:

/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Charles Troupe	/s/ Wayne Goode
/s/ Pat Kelley	/s/ Emory Melton
/s/ Connie Murray	/s/ John T. Russell

CONFERENCE COMMITTEE REPORT ON

HOUSE BILL NO. 1012

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1012, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and the House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1012, and that the Senate recede from its position on House Committee Substitute for House Bill 1012, and the Conference Committee Substitute for House Bill No. 1012, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Timothy Green	/s/ Wayne Goode
/s/ Sandra Kauffman	/s/ Emory Melton
/s/ Kenneth Legan	/s/ John T. Russell

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 482**, entitled:

An act to repeal section 476.405, RSMo 1994, relating to circuit clerks, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 505**, entitled:

An act to repeal section 67.641, RSMo 1994, relating to convention and sports complex funding, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 514**, entitled:

An act to amend chapter 577, RSMo, relating to public safety offenses, by adding thereto one new section relating to leaving the scene of an accidental shooting, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 515 & 584**, entitled:

An act to repeal sections 58.451, 58.720, 194.220 and 194.233, RSMo 1994, and section 194.240, RSMo Supp. 1995, relating to anatomical gifts, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 549**, entitled:

An act to repeal section 82.210, RSMo 1994, relating to constitutional charter cities, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 713**, entitled:

An act to repeal sections 58.451 and 58.720, RSMo 1994, relating to duties of coroners, and to enact two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 781**, entitled:

An act to repeal section 221.105, RSMo Supp. 1995, relating to the boarding of prisoners, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 787**, entitled:

An act to repeal section 42.007, RSMo 1994, relating to the Missouri veterans' commission, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 895 & HB 986**, and has taken up and passed **CCS SCS HCS HB 895 & HB 986**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1097**, and has taken up and passed **CCS SCS HB 1097**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 1466**, and has taken up and passed **CCS SCS HB 1466**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 489**, entitled:

An act to repeal section 217.345, RSMo Supp. 1995, relating to youth offender programs, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 524**, entitled:

An act to repeal sections 317.001, 317.006 and 317.011, RSMo 1994, relating to boxing and wrestling and to enact in lieu thereof seven new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 604, 666 & 816**, entitled:

An act to repeal sections 337.030, 337.045 and 337.505, RSMo 1994, and sections 337.020 and 337.050, RSMo Supp. 1995, relating to professional licensing of psychologists and professional counselors, and to enact one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 685**, entitled:

An act to amend chapter 104, RSMo, relating to retirement, by adding one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 804**, entitled:

An act to repeal sections 288.050, 288.070, 288.100, 288.110, 288.113, 288.130, 288.140, 288.160, 288.190 and 288.200, RSMo 1994, and section 288.030, 288.032 and 288,036, RSMo Supp. 1995, relating to streamlining of employment security programs and services, and to enact thirteen new sections relating to the same subject, with a delayed effective date for a certain section.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 805**, entitled:

An act to repeal section 640.220, RSMo 1994, relating to scholarships to increase minority student enrollment in environmentally related courses of study, and to enact in lieu thereof two new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 836**, entitled:

An act to repeal sections 362.471, 427.041, 443.130, 456.500, 456.520 and 456.600, RSMo 1994, and section 361.160, RSMo Supp. 1995, relating to certain financial transactions, and to enact in lieu thereof twelve new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 914** , and requests the House to recede from its position or failing to do so, grant the Senate a conference thereon.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 2:30 p.m., Monday, May 6, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Sixth Day, Wednesday, May 1, 1996, page 3, roll call, by showing Representatives Champion and Gaskill voting "aye" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representatives Davis and Kelly (27) voting "aye" rather than "absent with leave".

Page 14, roll call, by showing Representatives Hagan-Harrell and Treadway voting "aye" rather than "absent with leave".

Pages 15 and 16, roll call, by showing Representatives Davis and Champion voting "aye" rather than "absent with leave".

Pages 19 and 20, roll call, by showing Representative Gibbons voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Monday, May 6, 1996, 1:00 pm. Hearing Room 9. Executive session.

To be considered - HB 1019

JUDICIARY AND ETHICS

Monday, May 6, 1996. Side gallery upon evening adjournment. Executive session.

LABOR

Tuesday, May 7, 1996, 8:00 pm. Hearing Room 8. Executive session to follow.

To be considered - SB 903

TRAVEL COMMITTEE

Monday, May 6, 1996, 1:00 pm. Hearing Room 5.

HOUSE CALENDAR

SIXTY-EIGHTH DAY,MONDAY, MAY 6, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
0 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell

26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149, 1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR SECOND READING

1 SCS SB 482
2 SB 489
3 SB 505
4 SCS SB 514
5 SCS SB 515 & 584
6 SCS SB 524
7 SB 549
8 SCS SB 604,666 & 816
9 SB 685
10 SCS SB 713
11 SB 781
12 SB 787
13 SB 804
14 SB 805
15 SB 836

SENATE BILLS FOR THIRD READING

1 HCS SS SCS SB 795, 542 & 563 - Stoll
2 SB 506 - McBride
3 HCS SB 933, as amended - Griesheimer

4 SCS SB 640, HCA 1 - Witt
5 HCS SCS SB 759 - Auer
6 HCS SB 904 - Wiggins
7 SB 783, HCA 1 -
8 SB 898 - Elliott
9 HCS SB 664 - Hartzler (123)
10 HCS SS SB 560 - May (108)
11 HCS SB 888, (Budget Fiscal 5-1-86) -

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

SB 854 - Backer

BILL CARRYING REQUEST MESSAGES

HCS SB 914, req. House recede or grant Senate conf. - Skaggs

BILLS IN CONFERENCE

1 CCR SCS HCS HB 1002, as amended - Franklin
2 CCR SCS HCS HB 1003, as amended - Franklin
3 CCR SCS HCS HB 1004 - Green
4 CCR SCS HCS HB 1005, as amended - Green
5 CCR SCS HCS HB 1006, as amended - Tate
6 CCR SCS HCS HB 1007 - Tate
7 CCR SCS HCS HB 1008 - Franklin
8 CCR SCS HCS HB 1009, as amended - Troupe
9 CCR SCS HCS HB 1010, as amended - Carter
10 CCR SCS HCS HB 1011 - Troupe
11 CCR SCS HCS HB 1012 - Green
12 HCS SCS SB 657 - Legan
13 HCS SB 676 - Smith
14 HCS SS SB 687, as amended - Lumpe

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SIXTY-EIGHTH DAY, Monday, May 6, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Lord God, we pray today for the members of this body. Help them in their offices, in committees, and above all, as they meet here in session each day. May they never forget that what is said and done here is not done in isolation, but is always under the scrutiny of the citizens of this state and in your sight. Let them feel the weight of their responsibility so that the trust of the populace is not misplaced. Let them speak and act so that those who hear and see them might be reassured, rather than disillusioned. We live in times which are fraught with distrust, disillusionment, and despair. Do not let us be a part of perpetuating those feelings, but let us be a part of allaying them.

Most of all, God, make yourself real to these men and women so that they know your presence and guidance in all that they do. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Douglas Williams.

The Journal of the sixty-seventh day was approved as corrected.

RESOLUTIONS

Representative Cierpiot offered House Resolution Nos. 1062 through 1075, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution Nos. 1076 through 1078, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Keeven offered House Resolution No. 1079, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foley offered House Resolution No. 1080, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 1081, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sears (1) offered House Resolution No. 1082, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stoll offered House Resolution No. 1083, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Long, joined by the entire Republican Caucus offered House Resolution No. 1084, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kelley (47) offered House Resolution Nos. 1085 through 1087, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Dougherty offered House Concurrent Resolution No. 14.

SECOND READING OF SENATE BILLS

SCS SB 482, SB 489, SB 505, SCS SB 514, SCS SB 515 & 584, SCS SB 524, SB 549, SCS SB 604, 666 & 816, SB 685, SCS SB 713, SB 781, SB 787, SB 804, SB 805 and **SB 836** were read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1359, HB 1460, HB 1554, CCS SCS HCS HB 895 & HB 986, SCS HS HCS HB 1069, 794, 807, 936, 1128, 1153 & 1202, HB 1400, HB 1248, SCS HB 1379, HB 1295, SCS HB 1523, HB 1604, HB 1601 and HB 956**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HB 1369 and CCS SCS HB 1097**, begs leave to report that it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 1019**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND House Bill No. 1019, page 4, section 19.055, line 6, by adding one new section to read as follows:

"Section 19.057. To the Office of Administration

For the Juvenile Court Personnel Advisory Commission

Expense and Equipment

Representing expenditures originally authorized under the provisions

of House Bill Section 1014.030, an Act of the 88th General Assembly,

Second Regular Session

From General Revenue Fund.....$ 49,000"; and

Further amend said Bill, page 4, section 19.065 by deleting said section in its entirety; and

Further amend said Bill, page 5, section 19.080, line 3, by deleting said line; and

Further amend said section, line 8, by deleting from said line the figure "2,600,000" and inserting in lieu thereof the figure "2,100,000"; and

Further amend said bill, page 9, section 19.155 by deleting said section in its entirety; and

Further amend said bill, page 11, section 19.205 by deleting said section in its entirety.

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SS SB 709**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Science, Technology and Critical issues, Chairman Smith reporting:

Mr. Speaker: Your Committee on Science, Technology and Critical Issues, to which was referred **SS SCS SB 722**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

The Speaker assumed the Chair.

PERFECTION OF HOUSE BILLS - INFORMAL

HB 1402, relating to certificate of need, was taken up and placed back on the Informal Calendar.

HB 1243, with House Committee Amendment No. 1, relating to outdoor advertising, was taken up and placed back on the Informal Calendar.

HB 962, as amended, relating to certificate of value, was taken up and placed back on the Informal Calendar.

HB 1156, relating to gubernatorial appointments, was taken up and placed back on the Informal Calendar.

HCS HB 1363, relating to telecommunications, was taken up and placed back on the Informal Calendar.

HCS HB 894, relating to human rights, was taken up and placed back on the Informal Calendar.

HB 1247, with HS, as amended, pending, relating to tobacco product sales, was taken up and placed back on the Informal Calendar.

THIRD READING OF HOUSE BILL - INFORMAL

HB 782, relating to motor vehicle drivers, was taken up and placed back on the Informal Calendar.

THIRD READING OF SENATE BILLS - INFORMAL

SB 803, relating to administrative rules, was taken up and placed back on the Informal Calendar.

SB 854, relating to Midwest low-level radioactive waste compact, was taken up and placed back on the Informal Calendar.

SUPPLEMENTAL CALENDAR

May 6, 1996

HOUSE CONCURRENT RESOLUTION

HCR 13 - Carter

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1019, HCA 1 - Lumpe

SENATE BILLS FOR THIRD READING

HCS SB 769, (Budget Fiscal 5-6-96) - Canuteson

SB 589 - Dougherty

SB 757, (Budget Fiscal 5-6-96) - Sears (1)

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

SCS SB 777 - Hosmer

THIRD READING OF SENATE BILLS

HCS SB 933, as amended, relating to liquor control, was again taken up by Representative Griesheimer.

Representative Ward offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 933, Page 1, In the Title, Line 2, by inserting after the number "311.300," the number "311.360,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the number "311.300," the number "311.360,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "311.300," the number 311.360,"; and

Further amend said bill, Page 10, Section 311.300, Line 24, by inserting after all of said line the following;

"311.360. **1.** No person holding a license or permit shall sell malt liquor, or any other intoxicating liquor in this state, or shall offer for sale any such malt liquor, or other intoxicating liquor, whatsoever, brewed, manufactured or distilled by one manufacturer, in substitution for, or with the representation that any such malt liquor or other intoxicating liquor, is the product of any other brewer, manufacturer or distiller. Whosoever shall violate the provisions of this section shall be deemed guilty of a misdemeanor.

2. Any malt liquor which is offered for sale in this state and manufactured at other than a facility owned by the person whose name appears on the label of the container shall include on the label the name and location of the owner of the facility which produced and packaged the malt liquor. This subsection shall become effective January 1, 1997."

On motion of Representative Ward, House Amendment No. 2 was adopted.

Representative Thompson (37) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 933, Page 3, Section 311.070, Line 83, by inserting after the word "**give**" the following: "**a gift not to exceed a value of one thousand dollars per year,**".

On motion of Representative Thompson (37), House Amendment No. 3 was adopted.

Representative Murray (135) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 933, Page 1, In the Title, Line 2, by inserting after the number "311.300," the number "311.330,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the number "311.300," the number "311.330,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "311.300," the number "311.330,"; and

Further amend said bill, Page 10, Section 311.300, Line 24, by inserting after all of said line the following:

"311.330. It shall be unlawful for the holder of any license authorized by this chapter, for the sale of any intoxicating liquor at retail by the drink for consumption on the premises where sold, to keep or secrete, or to allow any other person to keep or secrete in or upon the premises described in such license, any intoxicating liquor, other than **either** the kind of liquor expressly authorized to be sold by such license**, or any kind of liquor used exclusively as an ingredient in any foods being prepared and sold on the premises**.".

On motion of Representative Murray (135), House Amendment No. 4 was adopted.

Representative Troupe offered House Amendment No. 5.

House Amendment No. 5 was withdrawn.

Representative Boucher offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 933, page 11, line 8, by inserting after the word "control" the following section:

Section 1. **It shall be illegal for any retailer to sell 40 oz. bottles of malt liquor in minority areas.**

Representative Boucher moved that House Amendment No. 5 be adopted.

Which motion was defeated.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 001

O'Connor

NOES: 000

PRESENT: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

ABSENT WITH LEAVE: 005

Crump 152	Gaskill	Hickey	Reynolds	Ribaudo

VACANCY: 001

Representative Hoppe, having voted on the prevailing side, moved that the vote by which **House Amendment No. 5 to HCS SB 933, as amended,** was defeated be reconsidered.

Which motion was defeated by the following vote:

AYES: 033

Bland	Boucher	Bray 84	Carter	Clayton
Daniel 42	Days	Farmer	Ford	Franklin
Gunn	Harlan	Hartzler 124	Hoppe	Hosmer
Koller	Kreider	Lakin	Lumpe	Marshall 26
Mays 50	McLuckie	Morgan	Pauley	Schilling
Shear 83	Skaggs	Stokan	Thompson 37	Troupe
Van Zandt	Wiggins	Williams 121		

NOES: 122

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Broach	Brown	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Cooper
Copeland	Crum 112	Daniels 41	Davis	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Foster
Froelker	Garnett	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Hartzler 123	Heckemeyer	Hegeman

Hendrickson	Hohulin	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 133	May 108	McBride	McClelland	Mitchell
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Relford	Ribaudo	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Smith
Sombart	Steen	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Williams 159	Witt
Wooten	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 007

Crump 152	Gaskill	Hickey	Klumb	Reynolds
Richardson	Ridgeway			

VACANCY: 001

Representative Gratz offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 933, Page 10, Section 311.300, Line 1, by deleting the word and number "and 3" and inserting in lieu thereof the following: "[and]**,** 3 **and 4**"; and

Further amend said bill, Page 10, Section 311.300, Line 7, by inserting after the word "displays", the following: "**operate the cash register or scanner connected to a cash register and**".

On motion of Representative Gratz, House Amendment No. 6 was adopted.

Representative Troupe offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 933, page 11, section 311.691, line 8, by inserting immediately after said line the following;

Section 1. Advertising of alcohol shall be prohibited within areas which are considered to be high crime areas; and the African American community only as defined by zip code and Police Department Crime Statistics (as it relates to billboards or print targeted to minority community).

Further amend title and enacting clause accordingly.

Representative Troupe moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Bland offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for Senate Bill No. 933, Page 1, In the Title, Line 4, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "311.300," the number "311.352,"; and

Further amend said bill, Page 10, Section 311.300, Line 24, by inserting after all of said line the following:

"**311.352. 1. Any person who is licensed under this chapter to sell or serve alcoholic beverages at any establishment shall place on the premises of such establishment a warning sign as described in this section. Such sign shall be at least eleven inches by fourteen inches and shall read "WARNING: Drinking alcoholic beverages during pregnancy may cause birth defects.". The licensee shall display such sign in a conspicuous place on the licensed premises.**

2. Any employee of the supervisor of liquor control may report a violation of this section to the supervisor, and the supervisor shall issue a warning to the licensee of the violation. Any licensee who violates the provisions of this section after receiving a warning from the supervisor is guilty of an infraction.".

Representative Murray (135) raised a point of order that House Amendment No. 8 is amending previously amended material.

The Chair ruled the point of order not well taken.

Representative Bland moved that House Amendment No. 8 be adopted.

Which motion was defeated.

On motion of Representative Griesheimer, **HCS SB 933, as amended,** was adopted.

On motion of Representative Griesheimer, **HCS SB 933, as amended,** was read the third time and passed by the following vote:

AYES: 101

Auer	Barnett 4	Barry 100	Bennett 15	Bonner
Bray 84	Brown	Canuteson	Carter	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Dougherty
Edwards-Pavia	Enz	Farmer	Farnen	Fitzwater
Foley	Franklin	Garnett	Gibbons	Goward
Gratz	Green	Griesheimer	Gross	Hall
Hand	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hoppe	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Kreider
Lakin	Leake	Legan	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marshall 133	May 108
McBride	Mitchell	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Relford	Ridgeway	Rizzo
Ross	Scheve	Schwab	Sears 1	Sheldon 104
Shelton 57	Shields	Smith	Sombart	Stokan
Stoll	Summers	Thomason 163	Treadway	Van Zandt
Vogel	Ward	Wiggins	Williams 159	Witt

Mr. Speaker

NOES: 055

Akin	Alter	Backer	Ballard	Bartelsmeyer
Bland	Boatright	Boucher	Broach	Burton
Champion	Childers	Daniel 42	Days	Elliott
Evans	Fiebelman	Foster	Froelker	Gaskill
Graham	Gunn	Hagan-Harrell	Hartzler 124	Hohulin
Hosmer	Kelley 47	Klumb	Koller	Levin
Liese	Linton	Marble	Marshall 26	Mays 50
McClelland	McLuckie	Montgomery	Pryor	Robirds
Sallee	Schilling	Scott	Secrest	Skaggs
Steen	Surface	Tate	Thompson 37	Troupe
Wannenmacher	Whiteside	Wieland	Williams 121	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 006

Ford	Hickey	Reynolds	Ribaudo	Richardson

Shear 83

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Clayton, title to the bill was agreed to.

Representative Crum (112) moved that the vote by which the bill passed be reconsidered.

Representative Farmer moved that motion lay on the table.

The latter motion prevailed.

HCS SS SCS SBs 795, 542 and 563, relating to school finance, was taken up by Representative Stoll.

HCS SS SCS SBs 795, 542 and 563 was placed on the Informal Calendar.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SCS HCS HBs 895 and HB 986 and HB 1168,** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HBs 895 and HB 986 and HB 1168** were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE JOINT RESOLUTION

All other business of the House was suspended while **SJR 29** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SS SCS SB 507, SB 703, SB 952, and SS SB 521** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

THIRD READING OF SENATE BILL

SB 506, relating to engineering colleges grant program, was taken up by Representative McBride.

On motion of Representative McBride, **SB 506** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 002

Edwards-Pavia	Hartzler 124

PRESENT: 000

ABSENT WITH LEAVE: 009

Heckemeyer	Hickey	Legan	McLuckie	Reynolds
Ribaudo	Richardson	Stoll	Troupe	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Ward moved that the vote by which the bill passed be reconsidered.

Representative Van Zandt moved that motion lay on the table.

The latter motion prevailed.

BILLS CARRYING REQUEST MESSAGES

HCS SB 914, relating to county government, was taken up by Representative Skaggs.

Representative Skaggs moved that the House refuse to recede from its position on **HCS SB 914** and grant the Senate a conference.

Which motion was adopted.

HB 811, with Senate Amendment No. 1, Senate Substitute Amendment No. 1 forve Senate Amendment No. 3, Senate Substitute Amendment No. 1 for Senate Amendment No. 4 and Senate Amendment No. 5, relating to anatomical gifts, was taken upe by Representative Smith.

Representative Smith moved that the House refuse to concur in **Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 3, Senate Substitute Amendment No. 1 for Senate Amendment No. 4 and Senate Amendment No. 5** to **HB 811** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

SCS SB 640, with House Committee Amendment No. 1, relating to aviation fuel, was taken up by Representative Witt.

On motion of Representative Witt, House Committee Amendment No. 1 was adopted.

Representative Hosmer offered House Amendment No. 1.

Representative Witt raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Hohulin offered House Amendment No. 1.

Representative Witt raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Marshall (133) offered House Amendment No. 1.

House Amendment No. 1 was withdrawn.

Representative Marshall (133) offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 640, page 4, section 144.805, line 37, by deleting the numbers "2001" and inserting in lieu thereof the following: "1999".

Representative Marshall (133) moved that House Amendment No. 1 be adopted.

Which motion was defeated.

On motion of Representative Witt, **SCS SB 640, as amended,** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Gaskill
Gibbons	Goward	Graham	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 006

Boatright	Evans	Garnett	Gratz	Marshall 133

Schilling

PRESENT: 001

Ostmann

ABSENT WITH LEAVE: 008

Copeland	Hickey	Murphy	Reynolds	Ribaudo
Richardson	Thompson 37	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Farmer moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 759, relating to insurance companies, was taken up by Representative Auer.

Representative Gunn offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 759, Page 2, Section 375.1250, Line 23, by inserting immediately before the word "director" an opening bracket "["; and

Further amend said bill, Page 2, Section 375.1250, Line 24, by inserting immediately after the word "adopted" the following: "]**NAIC, as such RBC instructions may be amended**"; and

Further amend said bill, Page 10, Section 375.1267, Line 35 to 37, by striking all of said lines and inserting in lieu

thereof the following: "**is authorized to write**."

On motion of Representative Gunn, House Amendment No. 1 was adopted.

Representative Boucher offered House Amendment No. 2.

Representative Auer raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Shear (83) offered House Amendment No. 2.

Representative Auer raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order well taken.

On motion of Representative Auer, **HCS SCS SB 759, as amended,** was adopted.

On motion of Representative Auer, **HCS SCS SB 759, as amended,** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

Sixty-eighth Day-Monday, May 6, 1996

PRESENT: 001

Ford

ABSENT WITH LEAVE: 011

Harlan	Hickey	Hoppe	Murphy	Reynolds
Ribaudo	Richardson	Shear 83	Thompson 37	Troupe

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

HCS SB 904, relating to floodplain management, was taken up by Representative Wiggins.

Representative Wiggins offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 904, Page 2, Section 1, Line 8, by inserting after the words "**purpose of**" the following: "**railway and state of Missouri highways and**"; and

Further amend said bill, Page 2, Section 1, Line 6, by deleting the word "**property**" and inserting in lieu thereof the following: "**any structure**"; and

Further amend said bill, Page 2, Section 1, Line 16, by deleting the word "**property**" and inserting in lieu thereof the following: "**any structure**"; and

Further amend said bill, Page 3, Section 3, Lines 5 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"**2. In regard to a "policy" of insurance as defined in section 375.001, RSMo, issued on or after March 1, 1997, an insurer shall indicate whether such policy provides coverage for loss caused by flood. The division shall have the sole authority to enforce this subsection. An insurer may comply with this subsection by doing any of the following:**

(1) Indicating in the policy whether the policy provides coverage for loss caused by flood;

(2) In response to an original application for any such policy, providing information to the applicant regarding whether the policy provides such coverage;

(3) At least once every three years, providing information to policyholders regarding whether their policies provide such coverage; or

(4) Indicating by any other method approved by the division whether such policy provides such coverage."; and

Further amend said Bill, section 4.2, page 4, line 12, by inserting after the words "political subdivision" the words "**or entity therein**" and amend line 14 by inserting after the words "political subdivision" the words "**or entity therein**"

On motion of Representative Wiggins, House Amendment No. 1 was adopted.

Representative Foley offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 904, page 4, section 4, line 18, by inserting immediately after said line the following:

Section 5. 1. As used in subsection 2 of this section, the term "state agency" includes the following state departments and all divisions within such departments:

(1) The office of administration;

(2) The department of agriculture;

(3) The department of corrections;

(4) The department of economic development;

(5) The department of elementary and secondary education;

(6) The department of health;

(7) The department of insurance;

(8) The department of labor and industrial relations;

(9) The department of mental health;

(10) The department of natural resources;

(11) The department of public safety;

(12) The department of revenue; and

(13) The department of social services.

2. Any state agency that acquires real or personal property within any political subdivision of this state by condemnation, purchase, gift, lease, sale, or otherwise, to establish, operate, maintain, construct, improve, own, or control such real or personal property shall be subject to and comply with all requirements for building permits, and fire safety and zoning codes of such political subdivision in which such acquisition was made. Such political subdivision shall waive imposition of any fee against any state agency for any inspection or permit required by this section.

Representative Schilling offered House Amendment No. 1 to House Amendment No. 2.

Sixty-eighth Day-Monday, May 6, 1996

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill 904, page 1, section 5, line 15, by adding immediately after said line the following:

"**(14) All public four year colleges and university and community colleges.**"

On motion of Representative Schilling, House Amendment No. 1 to House Amendment No. 2 was adopted.

On motion of Representative Foley, House Amendment No. 2, as amended, was adopted.

Representative Kreider offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 904, page 1, section 64.905, line 1, by inserting immediately before said line and said section the following:

"48.030. After September 28, 1979, no county shall move from a lower class to a higher class or from a higher class to a lower class until the assessed valuation of the county is such as to place it in the other class for [five] **three** successive years; but, no second class county shall become a third class county until the assessed valuation of the county is such as to place it in the third class for at least [five] **three** successive years and until the assessed valuations for calendar year 1985 have been entered on the tax rolls of each county in accordance with subsections 6 and 7 of section 137.115, RSMo. The change from one classification to another shall become effective at the beginning of the county fiscal year following the next general election after the certification by the state equalizing agency for the required number of successive years that the county possesses an assessed valuation placing it in another class. If a general election is held between the date of the certification and the end of the current fiscal year, the change of classification shall not become effective until the beginning of the county fiscal year following the next succeeding general election."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Kreider, House Amendment No. 3 was adopted.

Representative Heckemeyer offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Bill No. 904, page 3, section 4.1 line 2, by inserting after the word "**establish**" on said line the words "**a record of**"

On motion of Representative Heckemeyer, House Amendment No. 4 was adopted.

HCS SB 904, as amended, was laid over.

Sixty-eighth Day-Monday, May 6, 1996

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 28 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 482 - Judiciary and Ethics

SB 489 - Correctional and State Institutions

SB 505 - Budget

SB 509 - Transportation

SCS SB 514 - Civil and Criminal Law

SCS SBs 515 & 584 - Science, Technology and Critical Issues

SCS SB 524 - Commerce

SB 549 - Judiciary and Ethics

SCS SBs 604, 666 & 816 - Professional Registration and Licensing

SB 622 - Local Government and Related Matters

SB 685 - Retirement

SB 695 - Tourism, Recreation and Cultural Affairs

SCS SB 713 - Science, Technology and Critical Issues

SB 781 - Correctional and State Institutions

SB 787 - Federal-State Relations and Veterans Affairs

SB 804 - Workers Compensation and Employment Security

SB 805 - Education - Higher

SB 836 - Banks and Financial Institutions

SS #3 SB 852 - Education - Elementary and Secondary

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 781**, entitled:

An act relating to certain disclosures relating to the care of patients with Alzheimer's disease.

With Senate Amendments Nos. 1, 2, 3 and 4.

Senate Amendment No. 1

Amend House Committee Substitute for House Bill No. 781, Page 1, Section Title, Line 2 by striking all of said line and inserting in lieu thereof the following:

"To repeal section 198.067, RSMo 1994, relating to nursing facilities, and to enact in lieu thereof five new sections relating to the same subject, with penalty provisions."; and

Further amend said bill, page 1, section 1, line 1, by inserting immediately before said line, the following:

"Section A. Section 198.067, RSMo 1994, is repealed and five new sections enacted in lieu thereof, to be known as sections 198.067, 1, 2, 3 and 4, to read as follows:

198.067. 1. An action may be brought by the department, or by the attorney general on his own volition or at the request of the department or any other appropriate state agency, to temporarily or permanently enjoin or restrain any violation of sections 198.003 to 198.096, to enjoin the acceptance of new residents until substantial compliance with sections 198.003 to 198.096 is achieved, or to enjoin any specific action or practice of the facility. Any action brought under the provisions of this section shall be placed at the head of the docket by the court, and the court shall hold a hearing on any action brought under the provisions of this section no less than fifteen days after the filing of the action.

2. [At the department's request, the attorney general] **The department, or at the department's request, the attorney general,** may bring an action in circuit court to recover a civil penalty **against the licensed operator of the facility as** provided by this [subsection] **section**. Such action shall be brought in the circuit court for the county in which the facility is located [and]**, or in the circuit court of Cole County. The moving party shall**

specify in its petition a recommended amount of penalty to be assessed. The circuit court shall determine the amount of penalty to be assessed within the limits set out in this section. **Appeals may be taken from the judgment of the circuit court as in other civil cases.**

[(1)] **3. The operator of** any facility which has been cited with a violation of sections 198.003 to 198.096 or the regulations established pursuant thereto, or of subsection (b), (c), or (d) of section 1396r of Title 42 of the United States Code or the regulations established pursuant thereto, is liable to the state for civil penalties of up to ten thousand dollars for each day that the violations existed or continues to exist. **As used in this subsection, the term "violation" shall mean a breach of a specific state or federal standard or statute which remains uncorrected and not in accord with the accepted plan of correction at the time of the reinspection conducted pursuant to subsection 3 of section 198.026 or the regulations established pursuant to Title 42 of the United States Code.** Violations shall be presumed to continue to exist from the time they are found until the time the division of aging finds them to have been corrected. The amount of the penalty shall be determined as follows:

[(a)] **(1)** For each violation of a class I standard, not less than one hundred fifty dollars nor more than one thousand dollars;

[(b)] **(2)** For each violation of a class II standard, not less than fifty dollars nor more than five hundred dollars;

[(c)] **(3)** For each violation of a class III standard, not less than fifteen dollars nor more than one hundred fifty dollars;

[(d)] **(4)** For each violation of a federal standard which does not also constitute a violation of a state law or regulation, not less than two hundred fifty dollars nor more than five hundred dollars;

[(e)] **(5)** For each specific class I violation by the same operator which has been cited within the past twenty-four months and for each specific class II or III violation by the same operator which has been cited within the past twelve months, double the amount last imposed. [Penalties collected pursuant to this subsection shall be deposited in the state general revenue fund.

As used in this subdivision the term "violation" shall mean a breach of a specific state or federal standard or statute which remains uncorrected and not in accord with the accepted plan of correction at the time of the reinspection conducted pursuant to subsection 3 of section 198.026 or the regulations established pursuant to Title 42 of the United States Code.] A judgment rendered against the operator of a facility pursuant to this subsection shall bear interest as provided in subsection 1 of section 408.040, RSMo.

[(2)] **4.** Any individual who willfully and knowingly certifies under subsection (b)(3)(B)(i) of section 1396r of Title 42 of the United States Code a material and false statement in a resident assessment is subject to a civil penalty of not more than one thousand dollars with respect to each assessment. Any individual who willfully and knowingly causes another individual to certify under subsection (b)(3)(B)(i) of section 1396r of Title 42 of the United States Code a material and false statement in a resident assessment is subject to a civil penalty of not more than five thousand dollars with respect to each assessment.

[3.] **5.** The imposition of any remedy provided for in sections 198.003 to 198.186 shall not bar the imposition of any other remedy.

6. Penalties collected pursuant to this section shall be deposited in the division of aging elderly home delivered means trust fund as established in section 660.078, RSMo.

[4.] **7.** [In any action to recover a civil penalty under this section, no civil penalty shall be awarded for any period that any facility is attempting in good faith to remedy any noncompliance or for any period where any facility is in good faith litigating any substantial question of law or fact. The provisions of supreme court rule 55.03 of the rules of civil procedure as presently stated or as hereafter amended are expressly applicable to any action under this section to recover a civil penalty.] To recover any civil penalty, the moving party shall prove by clear[, cogent] and convincing evidence that the violation occurred.

8. The licensed operator of a facility against whom an action to recover civil penalty is brought pursuant to this section may confess judgment as provided in section 511.070, RSMo, at any time prior to hearing. If said licensed operator agrees to confess judgment, the amount of the civil penalty recommended by the moving party in its petition shall be reduced by twenty- five percent and the confessed judgment shall be entered by the circuit court at the reduced amount.

9. The amount of any civil penalty assessed by the circuit court pursuant to this section shall be reduced by the amount of any civil monetary penalty which the licensed operator of the facility may establish it has paid pursuant to the laws of the United States for the breach of the same federal standards for which the state action is brought.

10. In addition to the civil penalties specified in subdivision (1) of subsection 3 of this section, any facility which is found pursuant to subsection 1 and 2 of this section with a violation of a class I standard when such violation results in actual physical or sexual injury to any resident of that facility shall be liable to the state for a civil penalty of one hundred dollars multiplied by the number of beds licensed to the facility, up to a maximum of ten thousand dollars. The liability of the facility for civil penalties under this section shall be incurred immediately upon the citation of the violation and shall not be affected by any subsequent correction of the

violation.".

Senate Amendment No. 2

Amend House Committee Substitute for House Bill No. 781, Page 1, Section Title, Line 2 by striking all of said line and inserting in lieu thereof the following: "Relating to certain disclosures relating to the care of patients, with penalty provisions."; and

Further amend said bill, page 2, section 4, line 9, by inserting immediately after said line, the following:

"**Section 5. It shall be an unlawful practice for any long-term care facility, as defined in section 198.006, RSMo, except a facility which is a residential care facility I or a residential care facility II, as defined in section 198.006, RSMo, which advertises, markets or otherwise promotes their quality assurance program to residents, prospective residents, their families or representatives to refuse to provide copies of documents which reflect the facilities evaluation of the quality of care, except that a facility may remove information that would allow identification of any resident.**

Section 6. Each request for access to copies of documents which reflect the facility's quality assurance program shall be acted on as soon as possible, but in no event later than the end of the third business day following the date the request is received by the facility. If the facility is requested to provide copies, a reasonable amount, as established by departmental rule, may be charged. If copies of documents are not granted immediately, the facility shall give detailed explanation of the cause for further delay and the place and earliest time and date that the documents will be available for inspection. However, this period of document production shall not exceed ten business days following the date the request is received by the facility.

Section 7. Any long-term care facility, as defined in section 198.006, RSMo, except a facility which is a residential care facility I or a residential care facility II, as defined in section 198.006, RSMo, which commits an unlawful practice under this section shall be cited with a violation of a class II standard as defined in section 198.067, RSMo.

Section 8. Any long-term care facility, as defined in section 198.006, RSMo, except a facility which is a residential care facility I or a residential care facility II, as defined in section 198.006, RSMo, which commits an unlawful practice under this section shall be liable for damages in a civil action and/or a civil penalty for each violation, and attorney's fees and costs incurred by a prevailing plaintiff, as allowed by the circuit court.";

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND House Committee Substitute for House Bill No. 781, Page 1, In the Title, Line 2, by deleting all of said line and inserting in lieu thereof the following:

"To repeal section 172.803, RSMo 1994, relating to certain disclosures and research relating to the care of patients with Alzheimer's disease, and to enact in lieu thereof five new sections relating to the same subject."; and

Further amend said bill, Page 1, Section 1, Line 1, by inserting immediately before said line the following:

"Section A. Section 172.803, RSMo 1994, is repealed and five new sections enacted in lieu thereof, to be known as sections 172.803, 1, 2, 3, and 4, to read as follows:

172.803. 1. The board of curators, with the recommendations of the advisory board, shall award funds to selected investigators in accordance with the following provisions:

(1) Individual awards shall not exceed [twenty] **thirty** thousand dollars per year and shall expire at the end of one or two years, depending on the recommendation of the advisory board for each award;

(2) Costs for overhead of the grantee individual or institution shall not be allowed;

(3) Investigators shall be employees or staff members of public or private educational, health care, voluntary health association or research institutions which shall specify the institutional official responsible for administration of the award;

(4) Subject to the provisions of subsection 3 of section 172.801, preference shall be given to investigators new to the field of Alzheimer's disease and related disorders and to those experienced in the field but departing in a research direction different from their previous work. Lesser preference shall be given to proposals to sustain meritorious research in progress;

(5) Awards shall be used to obtain preliminary data to test hypotheses and to enable investigators to develop subsequent competitive applications for long-term funding from other sources; and

(6) The research project shall be conducted in Missouri.

2. Funds appropriated for but not awarded to research projects in any given year shall be [included in the board of curators' appropriations request for research projects in the succeeding year] **retained by the board of curators until such funds are awarded and shall not be expended for any other purpose**.".

Senate Amendment No. 4

AMEND House Committee Substitute for House Bill No. 781, Page 1, Section 3, Line 6, by inserting after the period "." on said line the following:

"At the time of admission of a patient requiring treatment rendered by the Alzheimer's special care program, a copy of the disclosure made to the department shall be delivered by the facility to the next-of-kin of the patient."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1244**.

Sixty-eighth Day-Monday, May 6, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, May 7, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Seventh Day, Thursday, May 2, 1996, page 5, roll call, by showing Representative Cierpiot voting "aye" rather than "absent with leave".

Page 6, roll call, by showing Representative Cierpiot voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Murphy, Cierpiot and Levin voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representatives Cierpiot and Kasten voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representative Cierpiot voting "aye" rather than "absent with leave".

Pages 9 and 10, roll call, by showing Representative Cierpiot voting "aye" rather than "absent with leave".

Pages 10 and 11, roll call, by showing Representative Cierpiot voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Wednesday, May 8, 1996, 1:30 pm. Hearing Room 9. Executive session.

To be considered - SB 836

BUDGET

Tuesday, May 7, 1996. Hearing Room 9 upon morning adjournment. Executive session.

To be considered - SB 505, SB 888, SB 757, SB 769, HB 1149

CHILDREN, YOUTH, AND FAMILIES

Wednesday, May 8, 1996. Side gallery upon morning adjournment. Possible executive session.

EDUCATION - HIGHER

Tuesday, May 7, 1996. Hearing Room 8 upon morning adjournment.

Presentation on state plan for post- secondary vocational technical education.

EDUCATION - HIGHER

Wednesday, May 8, 1996, 9:00 am. Hearing Room 1. Executive session to follow.

To be considered - SB 805

FEDERAL - STATE RELATIONS AND VETERANS AFFAIRS

Tuesday, May 7, 1996, 9:00 am. Hearing Room 5.

To be considered - SB 787

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, May 8, 1996, 9:00 am. Hearing Room 5.

JUDICIARY AND ETHICS

Tuesday, May 7, 1996. Hearing Room 5 upon morning adjournment. Executive session may follow.

To be considered - SB 482

LABOR

Tuesday, May 7, 1996, 8:00 pm. Hearing Room 8. Executive session to follow.

To be considered - SB 903

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, May 8, 1996. Hearing Room 8 upon morning adjournment. Executive session.

To be considered - SB 622

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, May 7, 1996, 1:00 pm. Hearing Room 7. Executive session may follow.

To be considered - SB 510

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, May 8, 1996, 9:30 am. Hearing Rooms 3 & 4. Executive session may or may not follow.

To be considered - SB 604

TRANSPORTATION

Wednesday, May 8, 1996. Hearing Room 5 upon morning adjournment. Executive session to follow.

To be considered - SB 509

HOUSE CALENDAR

SIXTY-NINTH DAY,TUESDAY, MAY 7, 1996

HOUSE BILL FOR PERFECTION - APPROPRIATIONS

HB 1019, HCA 1 - Lumpe

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer

27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

1 HCS SB 904, as amended - Wiggins
2 SB 783, HCA 1 - May (108)
3 SB 898 - Elliott
4 HCS SB 664 - Hartzler (123)
5 HCS SS SB 560 - May (108)
6 HCS SB 888, (Budget Fiscal 5-1-86) - Jacob
7 HCS SB 769, (Budget Fiscal 5-6-96) - Canuteson
8 SB 589 - Dougherty
9 SB 757, (Budget Fiscal 5-6-96) - Sears (1)

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

SB 854 - Backer

HCS SS SCS SB 795,542 & 563 - Stoll

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

SCS SB 777 - Hosmer

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1098, SA 1, SA 1 to SA 2, SA 2,as amended, - Goward

SS SCS HB 974 - Crump (152)

BILLS CARRYING REQUEST MESSAGES

HB 811, SA 1, SSA 1 for SA 3, SSA 1 for SA 4, SA 5 req. Sen. recede or grant House conf. - Smith

Sixty-eighth Day-Monday, May 6, 1996

BILLS IN CONFERENCE

1 CCR SCS HCS HB 1002, as amended - Franklin
2 CCR SCS HCS HB 1003, as amended - Franklin
3 CCR SCS HCS HB 1004 - Green
4 CCR SCS HCS HB 1005, as amended - Green
5 CCR SCS HCS HB 1006, as amended - Tate
6 CCR SCS HCS HB 1007 - Tate
7 CCR SCS HCS HB 1008 - Franklin
8 CCR SCS HCS HB 1009, as amended - Troupe
9 CCR SCS HCS HB 1010, as amended - Carter
10 CCR SCS HCS HB 1011 - Troupe
11 CCR SCS HCS HB 1012 - Green
12 HCS SCS SB 657 - Legan
13 HCS SB 676 - Smith
14 HCS SS SB 687, as amended - Lumpe
15 HCS SB 914 - Skaggs

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HCR 13, (5-2-96 pgs. 12 & 13) - Carter

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SIXTH-NINTH DAY, Tuesday, May 7, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

The rains continue to fall, O God of Creation, and once again we see nature taking a destructive turn. Help us to hold fast to the knowledge that you are the God of all that is and help those whose lives are being disrupted by flood or tornados. And yet even in the midst of the destruction, we see the creative force that the rain also brings as it refreshes a ground hardened by winter's cold dryness.

Lord, those inside these walls often are unaware of what is happening outside - sometimes unaware of the weather, sometimes unaware of the people. Keep these representatives in tune with those they represent and help them give a listening and hearing ear to the voices that elected them. Give them wisdom; give them courage; give them hope to see accomplished what will most benefit the people of Missouri.

And now, O God, we ask your presence in this room, in the hearts and minds and souls of those present, that we might all know of your loving care for us. Guide the decisions made today - may they be directed by your hand. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Janelle Hilbur, Johnny Lynch, Cadie Kroenke, Melana Batzold, Kirk Barron, Jerry Barnes, Jaime Sandburn, Nikki Thompson, Michael Park, Jennifer Hendrick, Scott David, Laura Arzola and Alan Buckrucker.

The Journal of the sixty-eighth day was approved as corrected.

RESOLUTIONS

Representative Scheve offered House Resolution No. 1088, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Pryor offered House Resolution No. 1089, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Legan offered House Resolution No. 1090, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kauffman, joined by the entire Republican Caucus offered House Resolution No. 1091, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1092, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Robirds, joined by the entire Republican Caucus offered House Resolution No. 1093, which was

referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Donovan and Reynolds offered House Resolution No. 1094, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Prost offered House Resolution No. 1095, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Enz offered House Resolution No. 1096, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear (83) offered House Resolution Nos. 1097 and 1103, which were referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HCS HBs 904, 788 & 966 and CCS SCS HB 1466**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1, SSA 1 for SA 3, SSA 1 for SA 4 and SA 5 to HB 811** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Moseley, Banks, Wiggins, Sims and Singleton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 914**: Senators Quick, DePasco, Clay, Treppler and Klarich.

PERFECTION OF HOUSE BILL - APPROPRIATIONS

HB 1019, with House Committee Amendment No. 1, relating to appropriations, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **House Committee Amendment No. 1** was adopted.

On motion of Representative Lumpe, **HB 1019, as amended,** was ordered perfected and printed.

BILL IN CONFERENCE

HCS SS SB 687, as amended, relating to special school district, was taken up by Representative Lumpe.

Representative Lumpe requested that the conferees on **HCS SS SB 687, as amended**, be allowed to exceed the differences in two areas; first, by giving the Governing Council greater authority to approve the Board's budget and second, to give the public review committee authority to put issues on the ballot, which address the structure and the board, for the voters of St. Louis County to decide.

Which motion was adopted.

The Speaker assumed the Chair.

HOUSE CONCURRENT RESOLUTION

HCR 13, relating to privatization of the St. Louis Metropolitan sewer district, was taken up by Representative Carter.

Representative Foley offered House Amendment No. 1.

House Amendment No. 1

AMEND House Concurrent Resolution No. 13, page 1, line 29, by inserting after the word "senate" the following: "At least 3 members from House and 3 members from Senate shall be residents of St. Louis County."

On motion of Representative Foley, House Amendment No. 1 was adopted.

On motion of Representative Carter, **HCR 13, as amended**, was adopted.

HOUSE BILL WITH SENATE AMENDMENTS

SS SCS HB 974, relating to sex offenders, was taken up by Representative Crump (152).

Representative Crump (152) moved that the House refuse to adopt **SS SCS HB 974** and ask the Senate to recede from its position on **SS SCS HB 974** and, failing to do so, grant the House a conference and allow the conferees to exceed the differences in order to increase the mandatory minimum time for those defendants who have a prior conviction for child molestation or sexual abuse in the first degree when classified as a B felony when the defendant has been found to be a predatory sexual offender.

Which motion was adopted.

BILLS IN CONFERENCE

CCR SCS HCS HB 1002, as amended, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **CCR SCS HCS HB 1002, as amended,** was adopted by the following vote:

AYES: 154

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 006

Akin	Chrismer	Hohulin	Kelley 47	Linton
Loudon				

PRESENT: 000

ABSENT WITH LEAVE: 002

Daniel 42	Heckemeyer

VACANCY: 001

On motion of Representative Franklin, **CCS SCS HCS HB 1002** was read the third time and passed by the following vote:

AYES: 155

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers

Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 005

Akin	Chrismer	Hohulin	Linton	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 002

Daniel 42	Heckemeyer

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1003, as amended, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **CCR SCS HCS HB 1003**, **as amended,** was adopted by the following vote:

AYES: 155

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese

Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 005

Akin	Chrismer	Edwards-Pavia	Hohulin	Linton

PRESENT: 000

ABSENT WITH LEAVE: 002

Brown	Daniel 42

VACANCY: 001

On motion of Representative Franklin, **CCS SCS HCS HB 1003** was read the third time and passed by the following vote:

AYES: 155

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 003

Akin	Hohulin	Linton

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown	Daniel 42	Kauffman	Robirds

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Gratz moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1004, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **CCR SCS HCS HB 1004** was adopted by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Hohulin	Kasten

PRESENT: 000

ABSENT WITH LEAVE: 003

Daniel 42	Days	Marshall 133

VACANCY: 001

On motion of Representative Green, **CCS SCS HCS HB 1004** was read the third time and passed by the following vote:

AYES: 157

Alter	Auer	Backer	Ballard	Barnett 4

Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	illiams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 002

Hohulin	Kasten

PRESENT: 000

ABSENT WITH LEAVE: 003

Akin	Daniel 42	Thompson 37

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Koller, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1005, as amended, relating to appropriations, was taken up by Representative Green.

Representative Smith assumed the Chair.

The Speaker resumed the Chair.

Representative Green moved that **CCR SCS HCS HB 1005, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 077

Akin	Auer	Backer	Bartelsmeyer	Boatright
Boucher	Bray 84	Canuteson	Carter	Childers
Copeland	Daniels 41	Days	Enz	Evans
Farmer	Farnen	Fiebelman	Garnett	Gaskill
Graham	Green	Hall	Harlan	Hartzler 124
Heckemeyer	Howerton	Kauffman	Keeven	Koller
Lakin	Leake	Legan	Levin	Linton

Long	Lumpe	Marble	Marshall 26	Marshall 133
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Oetting	Overschmidt	Pauley	Pouche
Prost	Pryor	Ridgeway	Robirds	Ross
Sallee	Scheve	Schilling	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Sombart	Steen
Stoll	Summers	Tate	Thomason 163	Troupe
Van Zandt	Ward	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 077

Alter	Ballard	Barnett 4	Barry 100	Bennett 15
Bland	Bonner	Broach	Brown	Burton
Champion	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Davis	Donovan	Dougherty	Edwards-Pavia
Elliott	Fitzwater	Foley	Foster	Gibbons
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hand	Hartzler 123	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Jacob	Kasten
Kelley 47	Kelly 27	Kissell	Klumb	Kreider
Liese	Loudon	Luetkenhaus	May 108	Mays 50
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Ostmann	Relford
Reynolds	Ribaudo	Richardson	Rizzo	Schwab
Scott	Sears 1	Secrest	Shields	Stokan
Surface	Treadway	Vogel	Wannenmacher	Whiteside
Wieland	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 008

Crump 152	Daniel 42	Ford	Franklin	Froelker
Goward	Lograsso	Thompson 37		

VACANCY: 001

Representative Green moved that the House refuse to adopt **CCR SCS HCS HB 1005, as amended,** and request the Senate grant the House a further conference.

Which motion was adopted.

CONFERENCE COMMITTEE REPORT
ON HOUSE COMMITTEE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 657

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 657, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 657;

2. That the Senate recede from its position on Senate Committee Substitute for Senate Bill No. 657;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Ken Legan	/s/ Morris Westfall
/s/ Don Lograsso	/s/ Joe Moseley
/s/ Craig Hosmer	/s/ John Russell
/s/ Greg Canuteson	/s/ Sidney Johnson
/s/ Randall Relford	/s/ Harold Caskey

On motion of Representative Backer, the House recessed until 2:00 p.m..

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Lakin.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jennie Tilson, John Morrison, Mary Brickey, Beth Musich, Pat Doyle, Billy Fitzgerald, Brian Fagnani and Michael Van Hee.

RESOLUTIONS

Representative Vogel offered House Resolution No. 1104, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear (83) offered House Resolution Nos. 1105 and 1106, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution Nos. 1107 through 1112, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Elliott, joined by the entire Republican Caucus offered House Resolution No. 1113, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum (112) offered House Resolution No. 1114, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hegeman offered House Resolution No. 1115, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Koller offered House Resolution No. 1116, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham offered House Resolution No. 1117, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1019**, begs leave to report it has examined the same and finds it to be truly perfected and that the printed copies thereof furnished the members are correct.

SUPPLEMENTAL CALENDAR

May 7, 1996

HOUSE BILL FOR THIRD READING - APPROPRIATIONS

HB 1019 - Lumpe

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SB 578** and has again taken up and passed **SB 578**, as amended by **HA 1**, but refuses to adopt **HA 2** to **SB 578** and requests the House recede from its position on **HA 2** to **SB 578** and to take up and pass **SB 578** as amended by **HA 1**, or failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 and Part I of HA 2, as amended, to SB 858**, and requests the House to recede from its position or failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILL

HCS SB 904, **as amended**, relating to floodplain management, was again taken up by Representative Wiggins.

Representative Keeven offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 904, page 3, section 3, lines 1 and 2, by deleting all of said lines and replacing with: "**Section 3. Real estate brokers and salesman**"

The Speaker resumed the Chair.

Representative Marshall (133) offered House Substitute Amendment No. 1 for House Amendment No. 5.

House Substitute Amendment No. 1

for
House Amendment No. 5

AMEND House Committee Substitute for Senate Bill No. 904, Page 3, Section 3, Line 1, by deleting lines 1 through 7 and renumbering the remaining sections

On motion of Representative Marshall (133), House Substitute Amendment No. 1 for House Amendment No. 5 was adopted by the following vote:

AYES: 107

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Fiebelman	Foster	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Hagan-Harrell	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hohulin	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kissell	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 133	Mays 50	McBride	McClelland	Mitchell
Montgomery	Murphy	Murray 135	Naeger	Nordwald
Oetting	Ostmann	Pauley	Pouche	Prost
Pryor	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Sheldon 104	Shelton 57	Shields	Skaggs	Sombart
Steen	Stoll	Summers	Surface	Thomason 163
Treadway	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

NOES: 045

Barry 100	Bland	Bray 84	Clayton	Days
Dougherty	Farnen	Fitzwater	Foley	Franklin
Green	Griesheimer	Gunn	Harlan	Hoppe
Jacob	Kelly 27	Klumb	Koller	Kreider
Lakin	Leake	Lumpe	Marshall 26	May 108
McLuckie	Morgan	Murray 69	O'Connor	O'Toole
Overschmidt	Relford	Reynolds	Scheve	Schilling
Sears 1	Shear 83	Smith	Stokan	Tate
Van Zandt	Wiggins	Williams 121	Witt	Mr. Speaker

PRESENT: 001

Gross

ABSENT WITH LEAVE: 009

Daniel 42	Ford	Goward	Hickey	O'Neill
Ribaudo	Thompson 37	Troupe	Ward	

VACANCY: 001

Representative Witt assumed the Chair.

Representative Long offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill No. 904, page 1, In the Title, line 3, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, page 1, section A, line 1, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, page 1, section A, line 2, by deleting "3 and 4" and inserting in lieu thereof the following: "3, 4 and 5"; and

Further amend said bill, page 4, section 4, line 18, by inserting after all of said line the following:

"**Section 1. 1. The governing body of each noncharter county shall have power to adopt clearly reasonable ordinances, resolutions or regulations relating to its property, affairs and local government for which no provision has been made by general law or the Constitution of Missouri and the general laws of the state. Any such ordinance shall remain in force until repealed or amended by the governing body; except that, the general assembly may further define, broaden, limit or otherwise regulate the power of noncharter counties to pass clearly reasonable ordinances, resolutions or regulations.**

2. The governing body of a noncharter county may submit to the voters of that county any ordinance, resolution or regulation proposed pursuant to subsection 1 of this section for the approval of the voters of that county. Such ordinance, resolution or regulation shall then either pass or not pass according to the vote of a majority of those voters registered in the noncharter county who vote on the proposal.

3. Upon the receipt of a petition signed by at least five percent of the total number of voters from the noncharter county who voted for governor in the last gubernatorial election, the governing body of that county shall place any clearly reasonable ordinance, resolution or regulation, which the county government of that county would otherwise be able to adopt pursuant to subsection 1 of this section, on the ballot at the next general election for the approval of the voters of that county. The proposed ordinance, resolution or regulation must be clearly printed at the top of the petition before the signatures on the petition are acquired.".

Representative Kreider offered House Amendment No. 1 to House Amendment No. 6.

House Amendment No. 1

to

House Amendment No. 6

AMEND House Amendment No. 6 to House Committee Substitute for Senate Bill 904, page 2, section 3, line 1, by deleting the word "five" and inserting the word "fifteen"

On motion of Representative Kreider, House Amendment No. 1 to House Amendment No. 6 was adopted.

House Amendment No. 6, as amended, was withdrawn.

Representative Naeger offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Bill 904, page 3, section 4, lines 7 and 8, by deleting the words "**make application to the division for approval**" on said lines and replace with "**notify the division of such modification or construction**"; and

Further amend section 4, page 4, line 9, by deleting the word "**application**" and replacing with the word "**notification**"; and

Further amend section 4, page 4, line 9, by inserting after the word "**shall**", the word "**also**"; and

Further amend, section 4, page 4, lines 13 and 14, by deleting the words "**, except that such political subdivision shall still submit such a plan**"

On motion of Representative Naeger, House Amendment No. 6 was adopted.

Representative Surface offered House Amendment No. 7.

Representative Wiggins raised a point of order that House Amendment No. 7 is not germane to the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Schilling offered House Amendment No. 7.

Representative Wiggins raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Pouche offered House Amendment No. 7.

Representative Wiggins raised a point of order that House Amendment No. 7 is not germane to the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Fiebelman offered House Amendment No. 7.

Representative Wiggins raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Wiggins, **HCS SB 904, as amended**, was adopted by the following vote:

AYES: 079

Auer	Backer	Bland	Bonner	Boucher
Bray 84	Burton	Carter	Clayton	Crump 152
Daniels 41	Davis	Days	Dougherty	Edwards-Pavia
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Garnett	Goward	Green
Griesheimer	Gunn	Hagan-Harrell	Harlan	Heckemeyer
Hoppe	Hosmer	Jacob	Kelly 27	Klumb
Koller	Kreider	Lakin	Leake	Liese
Linton	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Montgomery	Morgan	Murray 69
Murray 135	Naeger	O'Connor	O'Neill	O'Toole
Overschmidt	Pauley	Prost	Relford	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Shelton 57	Shields	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Van Zandt	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 075

Akin	Alter	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Boatright	Broach	Brown
Canuteson	Childers	Chrismer	Cierpiot	Cooper
Copeland	Crum 112	Donovan	Elliott	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham	Gratz	Gross	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kissell	Legan	Levin	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 133	McClelland
Mitchell	Murphy	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Sombart
Steen	Summers	Surface	Treadway	Troupe
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 008

Champion	Daniel 42	Hickey	Ribaudo	Secrest
Sheldon 104	Thompson 37	Ward		

VACANCY: 001

HCS SB 904, as amended, was laid over.

The Speaker resumed the Chair

THIRD READING OF HOUSE BILL - APPROPRIATIONS

HB 1019, relating to appropriations, was taken up by Representative Lumpe.

Representative Richardson raised a point of order that **HB 1019** was not before the House one legislative day.

The Chair ruled the point of order not well taken.

On motion of Representative Lumpe, **HB 1019** was read the third time and passed by the following vote:

AYES: 150

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 005

Akin	Chrismer	Hohulin	Lograsso	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 007

Boucher	Bray 84	Daniel 42	Ribaudo	Thompson 37
Wannenmacher	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 974** and grants the House a conference thereon, and further that the Senate conferees on **SS SCS HB 974** are allowed to exceed the differences in order to increase the mandatory minimum time for those defendants who have a prior conviction for child molestation or sexual abuse first degree when classified as a B felony when the defendant has been found to be a predatory sexual offender.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to grant further conference on **SCS HCS HB 1005** as amended and requests the House to take up and adopt the **CCR on SCS HCS HB 1005** as amended.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 491** and has taken up and passed **SB 491, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 494, as amended,** and has taken up and passed **HCS SS SCS SB 494, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SCS SB 677** and has taken up and passed **SCS SB 677, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 759, as amended,** and has taken up and passed **HCS SCS SB 759 as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 834** and has taken up and passed **SB 834 as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 835** and has taken up and passed **HCS SB 835**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 845** and has taken up and passed **SB 845, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS #2 SB 860, as amended,** and has taken up and passed **HCS SCS #2 SB 860 as amended**.

Emergency clause adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committee to act with like committees from the Senate on the following bills:

HCS SB 914: Representatives Skaggs, Canuteson, Hoppe, Cooper and Long.

HB 811: Representatives Smith, Kelly (27), Lakin, Ostmann and Naeger.

SS SCS HB 974: Representatives Crump (152), Gaw, Clayton, Gross and Whiteside.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SCS SB 668** and has taken up and passed **SCS SB 668, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SCS SB 670** and has taken up and passed **SCS SB 670, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 683** and has taken up and passed **HCS SB 683**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 715** and has taken up and passed **HCS SB 715**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 728** and has taken up and passed **SB 728, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SS SB 740** and has taken up and passed **SS SB 740, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 792** and has taken up and passed **SB 792, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 855** and has taken up and passed **SB 855, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 926** and has taken up and passed **SB 926, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 930** and has taken up and passed **SB 930, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **HCS SS SB 687** are allowed to exceed the differences by giving the Governing Council greater authority to approve the Boards' budget and to give the public review committee authority to put issues on the ballot, which address the structure and the board, for the voters of St. Louis County to decide.

BILLS IN CONFERENCE

CCR SCS HCS HB 1005, as amended, relating to appropriations, was again taken up by Representative Green.

On motion of Representative Green, **CCR SCS HCS HB 1005, as amended**, was adopted by the following vote:

AYES: 125

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bland	Bonner
Boucher	Bray 84	Burton	Carter	Champion
Childers	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Garnett	Gaskill	Gibbons	Goward
Graham	Green	Griesheimer	Gunn	Hagan-Harrell
Hall	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Klumb	Koller	Lakin	Leake	Legan
Levin	Linton	Long	Loudon	Lumpe
Marble	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Ribaudo	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Sombart	Stokan	Stoll	Summers
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Whiteside	Wiggins	Williams 121	Witt	Mr. Speaker

NOES: 032

Bennett 15	Boatright	Broach	Brown	Chrismer
Cierpiot	Elliott	Enz	Froelker	Gratz
Gross	Hand	Hartzler 124	Hohulin	Hosmer
Kissell	Kreider	Liese	Lograsso	Luetkenhaus
Naeger	Reynolds	Richardson	Ridgeway	Smith
Steen	Surface	Vogel	Wannenmacher	Wieland
Williams 159	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 005

Canuteson	Daniel 42	Marshall 133	Thompson 37	Ward

VACANCY: 001

On motion of Representative Green, **CCS SCS HCS HB 1005** was read the third time and passed by the following vote:

AYES: 123

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bland	Bonner	Boucher
Bray 84	Burton	Canuteson	Carter	Champion
Childers	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Gibbons	Goward	Graham	Green
Griesheimer	Gunn	Hagan-Harrell	Hall	Harlan
Hartzler 123	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Klumb	Koller	Lakin
Leake	Legan	Levin	Linton	Long
Loudon	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Ribaudo	Rizzo	Robirds

Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon
104				
Shelton 57	Shields	Skaggs	Sombart	Stokan
Stoll	Summers	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Whiteside	Wiggins
Williams 121	Witt	Mr. Speaker		

NOES: 036

Akin	Bennett 15	Boatright	Broach	Brown
Chrismer	Cierpiot	Elliott	Enz	Foster
Froelker	Gaskill	Gratz	Gross	Hand
Hartzler 124	Hohulin	Hosmer	Howerton	Kissell
Kreider	Liese	Lograsso	Luetkenhaus	Naeger
Ostmann	Pryor	Richardson	Ridgeway	Smith
Steen	Surface	Wannenmacher	Wieland	Williams
159				

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 003

Daniel 42	Thompson 37	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Crum (112), title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

Representative Witt resumed the Chair.

CCR SCS HCS HB 1006, as amended, relating to appropriations, was taken up by Representative Tate.

On motion of Representative Tate, **CCR SCS HCS HB 1006, as amended**, was adopted by the following vote:

AYES: 107

Backer	Barnett 4	Bartelsmeyer	Bland	Boatright
Bonner	Boucher	Bray 84	Brown	Burton
Canuteson	Carter	Champion	Childers	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels
41				
Davis	Days	Donovan	Dougherty	Farmer
Fiebelman	Fitzwater	Ford	Foster	Franklin
Garnett	Goward	Graham	Green	
Griesheimer				
Gunn	Hagan-Harrell	Harlan	Hartzler 124	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Long	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Relford	
Richardson				
Rizzo	Ross	Sallee	Schilling	Scott
Sears 1	Secrest	Shear 83	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Summers	Tate	Thomason 163	Troupe	Van Zandt
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 050

Akin	Alter	Auer	Ballard	Barry 100
Bennett 15	Broach	Chrismer	Cierpiot	Edwards-

Pavia				
Elliott	Enz	Evans	Farnen	Froelker
Gaskill	Gibbons	Gratz	Gross	Hall
Hand	Hartzler 123	Heckemeyer	Hendrickson	Hohulin
Keeven	Levin	Liese	Linton	Lograsso
Loudon	Luetkenhaus	Marble	Marshall 133	Murphy
O'Neill	Oetting	Pryor	Reynolds	Ridgeway
Robirds	Scheve	Schwab	Sheldon 104	Stoll
Surface	Treadway	Vogel	Wannenmacher	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniel 42	Foley	Ribaudo	Thompson 37	Ward

VACANCY: 001

On motion of Representative Tate, **CCS SCS HCS HB 1006** was read the third time and passed by the following vote:

AYES: 123

Backer	Barnett 4	Bartelsmeyer	Bland	Boatright
Bonner	Boucher	Bray 84	Brown	Burton
Canuteson	Carter	Champion	Childers	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Farmer
Farnen	Fiebelman	Fitzwater	Ford	Foster
Franklin	Garnett	Gaskill	Goward	Graham
Green	Griesheimer	Gunn	Hagan-Harrell	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Long	Lumpe
Marble	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 033

Akin	Alter	Auer	Ballard	Barry 100
Bennett 15	Broach	Chrismer	Cierpiot	Edwards-Pavia
Elliott	Enz	Evans	Froelker	Gibbons
Gratz	Gross	Hall	Hand	Hohulin
Keeven	Linton	Lograsso	Loudon	Luetkenhaus
Marshall 133	Murphy	O'Neill	O'Toole	Scheve
Sheldon 104	Treadway	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42	Foley	Ribaudo	Thompson 37	Ward

Williams 121

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative McLuckie, title to the bill was agreed to.

Representative Overschmidt moved that the vote by which the bill passed be reconsidered.

Representative Prost moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1007, relating to appropriations, was taken up by Representative Tate.

On motion of Representative Tate, **CCR SCS HCS HB 1007** was adopted by the following vote:

AYES: 115

Auer	Backer	Barry 100	Bartelsmeyer	Bland
Boatright	Bonner	Boucher	Bray 84	Brown
Burton	Canuteson	Carter	Childers	Cooper
Copeland	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Farmer	Farnen	Fiebelman
Fitzwater	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Griesheimer	Gunn	Hagan-Harrell	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Klumb	Koller	Lakin
Leake	Legan	Levin	Long	Loudon
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	Oetting	Ostmann
Pauley	Pouche	Prost	Pryor	Relford
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Scott	Sears 1	Shear 83	Shelton 57
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 041

Akin	Alter	Ballard	Barnett 4	Bennett 15
Broach	Champion	Chrismer	Cierpiot	Clayton
Crum 112	Crump 152	Elliott	Enz	Evans
Foley	Gratz	Gross	Hall	Hand
Hegeman	Hohulin	Keeven	Kissell	Kreider
Liese	Linton	Lograsso	Luetkenhaus	Murphy
Overschmidt	Reynolds	Richardson	Sallee	Schwab
Secrest	Sheldon 104	Shields	Wannenmacher	Wieland

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42	Green	O'Toole	Ribaudo	Thompson 37

Ward

VACANCY: 001

On motion of Representative Tate, **CCS SCS HCS HB 1007** was read the third time and passed by the following vote:

AYES: 128

Auer	Backer	Barnett 4	Barry 100	Bartelsmeyer
Bland	Boatright	Bonner	Boucher	Bray 84
Brown	Burton	Canuteson	Champion	Childers
Clayton	Cooper	Copeland	Crump 152	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia

Elliott	Farmer	Farnen	Fiebelman	Fitzwater
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Green
Griesheimer	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Klumb
Koller	Lakin	Leake	Legan	Long
Loudon	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 027

Akin	Alter	Ballard	Bennett 15	Broach
Chrismer	Cierpiot	Crum 112	Enz	Evans
Foley	Gratz	Gross	Hall	Hohulin
Keeven	Kissell	Kreider	Levin	Liese
Linton	Lograsso	Luetkenhaus	Murphy	O'Toole
Wannenmacher	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 007

Carter	Daniel 42	Ribaudo	Richardson	Thompson 37
Ward	Wiggins			

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Shear (83), title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1008, relating to appropriations, was taken up by Representative Franklin.

On motion of Representative Franklin, **CCR SCS HCS HB 1008** was adopted by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan

Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Hohulin

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 005

Daniel 42	Dougherty	Ribaudo	Thompson 37	Ward

VACANCY: 001

On motion of Representative Franklin, **CCS SCS HCS HB 1008** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Hohulin

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 007

Daniel 42	Dougherty	Gross	Ribaudo
Richardson			
Thompson 37	Ward		

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Farnen moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1009, as amended, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **CCR SCS HCS HB 1009** was adopted by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	
Hendrickson				
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	
Montgomery				
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 004

Daniel 42	Ribaudo	Thompson 37	Ward

VACANCY: 001

The Speaker resumed the Chair.

On motion of Representative Troupe, **CCS SCS HCS HB 1009** was read the third time and passed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniel 42	Relford	Ribaudo	Thompson 37	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Foley moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1010, as amended, relating to appropriations, was taken up by Representative Carter.

Representative Carter moved that **CCR SCS HCS HB 1010, as amended,** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Backer	Bland	Boucher	Bray 84	Brown
Canuteson	Carter	Clayton	Copeland	Davis
Days	Farmer	Farnen	Fitzwater	Franklin
Gunn	Hagan-Harrell	Harlan	Hosmer	Jacob
Kauffman	Kelly 27	Klumb	Kreider	Lakin
Lumpe	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Montgomery	Morgan	Murray

135				
Ostmann	Pauley	Relford	Scheve	Schilling
Sears 1	Shear 83	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Tate	Thomason
163				
Troupe	Van Zandt	Wiggins	Williams 121	Witt

Mr. Speaker

NOES: 098

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Crump 152	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Fiebelman	Foley	Foster	Froelker	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Hall	Hand	Hartzler
123				
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Keeven	Kelley 47
Kissell	Koller	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 133	Mitchell	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Overschmidt	Pouche	Prost
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Sheldon 104	Steen	Stoll	Summers
Surface	Treadway	Vogel	Wannenmacher	Whiteside
Wieland	Williams 159	Wooten		

PRESENT: 001

Ford

ABSENT WITH LEAVE: 007

Daniel 42	Daniels 41	Garnett	Hickey	Ribaudo
Thompson 37	Ward			

VACANCY: 001

Representative Carter moved that the House refuse to adopt **CCR SCS HCS HB 1010, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a further conference.

Representative Reynolds made a substitute motion that the House refuse to adopt Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1010 and request the Senate to grant further conference on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010 and that the House conferees be instructed to adopt the following corrective language in lieu of Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1010:

"For funding to local health departments and licensed hospitals to provide pregnancy testing and follow-up services

From General Revenue.....$664,000

For funding to local health departments and licensed hospitals to provide alternative to abortion services for pregnant women

From General Revenue.....$900,000"

and further that the House conferees be otherwise bound to the current proposed conference committee substitute;

and further that the conferees be authorized to exceed the differences for the above purpose and for no other purpose.

Representative Lumpe raised a point of order that the substitute motion is a negative motion and cannot be offered until Representative Carter's motion is acted on.

Representative Jacob raised a second point of order that in order to take up the substitute motion the House would have to reconsider the vote by which the bill was third read and the vote by which the bill was perfected.

The Chair ruled the points of order not well taken.

Representative Jacob offered House Amendment No. 1 to the House substitute motion.

House Amendment No. 1

AMEND House substitute motion on Conference Committee Report on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, by adding instructions to the conferees that to fund said amendment the conferees shall delete an equal amount stated in said amendment from other parts of said bill.

Representative Lograsso raised a point of order that House Amendment No. 1 to the House substitute motion for the House motion is in the third degree.

The Chair ruled the point of order not well taken.

Representative Reynolds raised a point of order that House Amendment No. 1 is not germane to the House substitute motion.

Representative Reynolds withdrew his point of order.

Representative Liese raised a point of order that House Amendment No. 1 is amending previously amended material.

The Chair ruled the point of order not well taken.

Representative Jacob moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 058

Backer	Bland	Boucher	Bray 84	Brown
Canuteson	Carter	Clayton	Copeland	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Franklin	Gunn	Hagan-Harrell
Harlan	Hosmer	Jacob	Kauffman	Kelly 27
Klumb	Koller	Kreider	Lakin	Lumpe
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murray 135	Ostmann	Pauley
Relford	Scheve	Schilling	Sears 1	Shear 83
Shelton 57	Skaggs	Smith	Stokan	Tate
Thomason 163	Troupe	Van Zandt	Wiggins	Williams 121
Williams 159	Witt	Mr. Speaker		

NOES: 096

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Crump 152	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Foley
Foster	Froelker	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hoppe	Howerton
Kasten	Keeven	Kelley 47	Kissell	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	Mitchell	Murphy	Murray 69	Naeger
Nordwald	O'Neill	O'Toole	Oetting	Overschmidt
Pouche	Prost	Pryor	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Sheldon 104	Shields
Sombart	Steen	Stoll	Summers	Surface
Treadway	Vogel	Wannenmacher	Whiteside	Wieland

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 008

Daniel 42	Ford	Garnett	Hickey	O'Connor
Ribaudo	Thompson 37	Ward		

VACANCY: 001

Representative Reynolds again moved that the House refuse to adopt Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1010 and request the Senate to grant further conference on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010 and that the House conferees be instructed to adopt the following corrective language in lieu of Senate Substitute Amendment No. 1 for Senate Amendment No. 2 to Senate Committee Substitute for House Committee Substitute for House Bill No. 1010:

"For funding to local health departments and licensed hospitals to provide pregnancy testing and follow-up services

From General Revenue.....$664,000

For funding to local health departments and licensed hospitals to provide alternative to abortion services for pregnant women

From General Revenue.....$900,000"

and further that the House conferees be otherwise bound to the current proposed conference committee substitute;

and further that the conferees be authorized to exceed the differences for the above purpose and for no other purpose.

Which motion was adopted by the following vote:

AYES: 101

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Crump 152	Daniels 41
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Foley	Foster	Froelker
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hohulin	Hoppe	Howerton	Kasten	Keeven
Kelley 47	Kissell	Koller	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
Mitchell	Murphy	Murray 69	Naeger	Nordwald
O'Neill	O'Toole	Oetting	Overschmidt	Pouche
Prost	Pryor	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Sheldon 104	Shields	Steen
Stoll	Summers	Surface	Treadway	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 159

Wooten

NOES: 052

Backer	Bland	Boucher	Bray 84	Brown
Canuteson	Carter	Clayton	Copeland	Davis
Days	Farmer	Fiebelman	Fitzwater	Franklin
Gunn	Hagan-Harrell	Harlan	Hosmer	Jacob
Kauffman	Kelly 27	Klumb	Kreider	Lakin
Lumpe	May 108	Mays 50	McBride	McClelland
McLuckie	Montgomery	Morgan	Murray 135	Ostmann
Pauley	Relford	Scheve	Schilling	Sears 1
Shear 83	Shelton 57	Skaggs	Smith	Sombart
Stokan	Tate	Thomason 163	Van Zandt	Williams 121
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Daniel 42	Ford	Garnett	Hickey	O'Connor
Ribaudo	Thompson 37	Troupe	Ward	

VACANCY: 001

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS SCS HB 974**: Senators Sims, Bentley, Moseley, Wiggins and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 657**, and has taken up and passed **CCS HCS SCS SB 657**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS for SB 933, as amended,** and has taken up and passed **HCS for SB 933, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS for SB 947** and has taken up and passed **HCS SB 947**.

COMMITTEE REPORTS

Committee on Federal-State Relations and Veterans Affairs, Chairman Montgomery reporting:

Mr. Speaker: Your Committee on Federal-State Relations and Veterans Affairs, to which was referred **SB 787**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SCS SB 482**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 526**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 768**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **KANSAS CITY CAUCUS**, begs leave to report it has examined the same and **approves it pursuant to Section 105.470 (6) 4 (2) and (c) d RSMo.**

DATE: April 29, 1996

TO: House Judiciary and Ethics Committee

FROM: Representative Tim VanZandt

RE: Kansas City Caucus

In accordance with Section 105.470 RSMo, 1991 we are listing the following members of the Missouri House of Representatives as members of the "Kansas City Caucus".

/s/ Vernon Thompson District 37	/s/ Bill Boucher District 48
/s/ Tim Van Zandt District 38	Open District 49
/s/ Annette N. Morgan District 39	/s/ Carol Jean Mays District 50
/s/ Henry Rizzo District 40	/s/ Dennis Bonner District 51
/s/ Fletcher Daniels District 41	/s/ Connie Cierpiot District 52
/s/ Lloyd Daniel District 42	/s/ Dick Franklin District 53
/s/ Mary Bland	/s/ Don Lograsso

District 43

/s/ Steve McLuckie
District 44

/s/ Sandy Kauffman
District 45

/s/ Tom Hoppe
District 46

/s/ Pat Kelley
District 47

/s/ Glenda Kelly
District 27

/s/ Bill Skaggs
District 31

/s/ Scott Lakin
District 33

/s/ Luann Ridgeway
District 35

/s/ Jason Klumb
District 125

/s/ Ed Hartzler
District 123

/s/ Carson Ross
District 54

/s/ Glenn Hall
District 55

/s/ Gary Witt
District 56

/s/ Fred Pouche
District 29

/s/ Charles Shields
District 30

/s/ Bonnie Sue Cooper
District 28

/s/ Greg Canuteson
District 32

/s/ Vicky Hartzler
District 34

/s/ Randy Relford
District 124

/s/ Rodger Fitzwater
District 6

District 36

Committee on Public Health and Safety, Chairman Bland reporting:

Mr. Speaker: Your Committee on Public Health and Safety, to which was referred **SS SB 726**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 726, Page 1, In the Title, Line 2, by striking out the words "one new section" and inserting in lieu thereof the following: "two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by striking out the words "one new section" and inserting in lieu thereof the following: "two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by striking out the word and numeral "section 192.031" and inserting in lieu thereof the following: "sections 192.031 and 192.038"; and

Further amend said bill, Page 1, Section 192.031, Line 14, by inserting immediately after said line the following:

"**192.038. Any abortion facility as defined in section 188.015, RSMo, which holds itself out to the public as providing abortions and which is not required under the law to be licensed as an ambulatory surgical center shall be inspected at least annually by the department of health, and may be inspected at any time for good cause. The department shall promulgate all rules necessary for the operation of unlicensed abortion facilities to ensure that such facilities are operated as safely for employees and patients as licensed abortion facilities, and to ensure that abortions are performed or induced as safely in such facilities as in licensed abortion facilities. If an unlicensed abortion facility is suspected of violating any provision of this section or chapter 188, RSMo, the department shall give twenty days' written notice to the unlicensed abortion facility to comply. If the unlicensed abortion facility fails to comply, the department may seek from a court of competent jurisdiction whatever relief necessary to enforce the provisions of this section or of chapter 188, RSMo, and may seek any other relief available under the law. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.**".

CONFERENCE COMMITTEE REPORT NO. 3
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE
FOR SENATE BILL NO. 687

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Substitute for Senate Bill No. 687, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Bill No. 687, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Bill No. 687;

3. That the attached Conference Committee Substitute No. 3 for House Committee Substitute for Senate Substitute for Senate Bill No. 687, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Wayne Goode
/s/ Rita Days	David Klarich
/s/ Tim Green	/s/ Mike Lybyer
/s/ Pat Secrest	/s/ Betty Sims
/s/ Emmy McClelland	/s/ John Schneider

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, May 8, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Eighth Day, Monday, May 6, 1996, page 22, by inserting after line 1, the following: The following member's presence was noted: Reynolds.

Pages 10 and 11, roll call, by showing Representative Edwards-Pavia voting "aye" rather than "no".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Thursday, May 9, 1996, 1:30 pm. Hearing Room 9. Executive session.

To be considered - SB 836

Sixty-ninth Day-Tuesday, May 7, 1996

BUDGET

Wednesday, May 8, 1996. Hearing Room 9 upon morning adjournment.

Executive session on previously heard bills.

CHILDREN, YOUTH, AND FAMILIES

Wednesday, May 8, 1996. Side gallery upon morning adjournment.

Possible executive session. Cancelled

CIVIL AND CRIMINAL LAW

Wednesday, May 8, 1996. Hearing Room 7 upon afternoon adjournment. Executive session may follow.

To be considered - SB 514

COMMERCE

Thursday, May 9, 1996, 9:00 am. Hearing Room 5. Executive session to follow.

To be considered - SB 524

CORRECTIONAL & STATE INSTITUTIONS

Thursday, May 9, 1996, 1:00 pm. Hearing Room 8. Executive Session.

To be considered - SB 489, SB 781

EDUCATION - HIGHER

Wednesday, May 8, 1996, 9:00 am. Hearing Room 1. Executive session to follow.

To be considered - SB 805

INSURANCE

Thursday, May 9, 1996. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 597

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, May 8, 1996, 9:00 am. Hearing Room 5.

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 9, 1996, 9:00 am. Hearing Room 7. Amended

LOCAL GOVERNMENT AND RELATED MATTERS

Wednesday, May 8, 1996. Hearing Room 8 upon morning adjournment.

Executive session.

To be considered - SB 622

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 8, 1996, 8:30 am. Hearing Room 7

To be considered - SCR 28

PROFESSIONAL REGISTRATION & LICENSING

Wednesday, May 8, 1996, 9:30 am. Hearing Rooms 3 & 4. Executive session may or may not follow.

To be considered - SB 604

RETIREMENT

Wednesday, May 8, 1996. Side gallery upon evening adjournment.

Executive session to follow.

To be considered - SB 685

TOURISM, RECREATION AND CULTURAL AFFAIRS

Thursday, May 9, 1996, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - SB 695

TRANSPORTATION

Wednesday, May 8, 1996. Hearing Room 5 upon morning adjournment.

Executive session to follow.

To be considered - SB 509

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Wednesday, May 8, 1996. Hearing Room 7 upon morning adjournment.

Executive session.

To be considered - SB 804

HOUSE CALENDAR

SEVENTIETH DAY, WEDNESDAY MAY 8, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending -> Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate

15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS,as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

1 HCS SB 904, as amended, adopted, - Wiggins
2 SB 783, HCA 1 - May (108)
3 SB 898 - Elliott
4 HCS SB 664 - Hartzler (123)
5 HCS SS SB 560 - May (108)
6 HCS SB 888, (Budget Fiscal 5-1-86) - Jacob
7 HCS SB 769, (Budget Fiscal 5-6-96) - Canuteson
8 SB 589 - Dougherty
9 SB 757, (Budget Fiscal 5-6-96) - Sears (1)
10 SB 525, HCA 1 - Backer

11 SB 526 - Harlan
12 SS SB 981, HCA 1, HCA 2 & HCA 3, E.C. - Farmer
13 HCS SS SCS SB 723 & 891 - Rizzo
14 HCS SB 572 - Morgan

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

SB 854 - Backer

HCS SS SCS SB 795,542 & 563 - Stoll

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

SCS SB 777 - Hosmer

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1098, SA 1, SA 1 to SA 2, SA 2,as amended, - Goward

HCS HB 781, SA 1, SA 2, SA 3, SA 4 - Stokan

BILLS CARRYING REQUEST MESSAGES

SB 578, as amended, HA 2 - request House recede or grant Senate conference - Witt

SB 858, HA 1 & Part 1 of HA 2, as amended - request House recede or grant Senate conference - Carter

SCS HCS HB 1010, as amended - req. Sen. recede\grant conf.\conferees be bound to current

CCS\conferees allowed to exceed the diff. - Carter

BILLS IN CONFERENCE

CCR SCS HCS HB 1011 - Troupe

CCR SCS HCS HB 1012 - Green

CCR HCS SCS SB 657 - Legan

HCS SB 676 - Smith

HCS SB 914 - Skaggs

HB 811, as amended - Smith

CCR#3 HCS SS SB 687, as amended, E.C. - Lumpe

SS SCS HB 974 - Crump

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SEVENTIETH DAY, Wednesday, May 8, 1996

The Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

In this world, O Lord, where the pennies and nickels and dimes amount to millions, help make us aware of the impact of our decisions. Those pennies and nickels and dimes add up to improved health care for women and children; those pennies and nickels and dimes add up to enhanced and improved education for the children and young adults of Missouri; those pennies, nickels and dimes add up to making a difference in people's lives. Let us never forget that at the end of the dollar signs are the people of Missouri, including our own friends and family.

Thank you, God, for giving those here determination and courage to do work that is often unappreciated and unrecognized. Thank you for strengthening them for tasks that take long hours and grueling paper work. In the midst of words of disagreement and dissension, let us occasionally stop and give words of appreciation and thanks. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Allison Ponche, Caleb Singleton, Derek Rollins, Katie Mersman, Gina Campbell, Jennifer Monahan, Matt Sauer, Jessica Genail, Jackie Gittemeier, Ben Galati, Brian Cronin, Matt Fiske, Loreal White, Dustin Portia, Craig Zimmerman, Ashley Williamson, Brady Blackman, Ashley Eckert, Christine Isbell, Danielle Hoock, Brett Smith, Jakolin Oetting, Micah Oetting and Marshall Oetting.

The Journal of the sixty-ninth day was approved as corrected.

RESOLUTIONS

Representative Hendrickson offered House Resolution No. 1118, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 1119, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Burton offered House Resolution Nos. 1120 and 1121, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Steen, joined by the entire House Republican Caucus, offered House Resolution No. 1122, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Lakin offered House Resolution Nos. 1123 and 1124, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 1125, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Kauffman offered House Resolution No. 1126, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fitzwater offered House Resolution Nos. 1127 and 1128, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution Nos. 1129 through 1173, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Surface and Burton offered House Resolution No. 1174, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 1175, which was referred to the Committee on Miscellaneous Bills and Resolutions.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HS HB 832**, entitled:

An act to repeal section 313.835, RSMo 1994, relating to certain veterans' cemeteries, and to enact in lieu thereof two new sections relating to the same subject.

With Senate Amendment No. 1 and Senate Amendment No. 2.

Senate Amendment No. 1

Amend House Substitute for House Bill No. 832, Page 2, Section 1, Line 10, by adding the following:

"Any ballot measure, concerning Riverboat Gambling, approved by the voters, whether by initiative petition or referendum, shall be submitted to the same voters for approval if amended or repealed at any time by the General Assembly following initial voter approval of the state-wide ballot measure. No statute so amended or repealed by the General Assembly shall take effect until the voters have by affirmative vote approved the amendments made by the General Assembly.".

Senate Amendment No. 2

Amend House Substitute for House Bill No. 832, Page 1, Section 313.835, Line 6, by striking the words "relating to excursion gambling boat operations".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **SCS HCS HB 1010, as amended**, and that the conferees are allowed to exceed the differences.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SCS HCS HB 1010: Representatives Lumpe, Lakin, Carter, Donovan and Shields

BILLS CARRYING REQUEST MESSAGES

SB 578, as amended, with House Amendment No. 2, relating to Highway Patrol, was taken up by Representative Witt.

On motion of Representative Witt, the House receded from its position on **House Amendment No. 2 to SB 578, as amended**, **and SB 578, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham

Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Pauley	Pouche	Prost	Pryor
Overschmidt	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Daniel 42	Ford	Steen	Thompson 37	Troupe

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Klumb, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

SB 858, with House Amendment No. 1 & Part I of House Amendment No. 2, as amended, relating to HIV-Aids, was taken up by Representative Carter.

Representative Carter moved that the House refuse to recede from its position on **House Amendment No. 1 & Part I of House Amendment No. 2, as amended, to SB 858** and grant the Senate a conference.

Which motion was adopted by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	

McClelland				
McLuckie	Mitchell	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 002

Gross	Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 004

Daniel 42	Ford	Steen	Troupe

VACANCY: 001

The Speaker assumed the Chair.

BILL IN CONFERENCE

CCR HCS SCS SB 657, relating to livestock theft, was taken up by Representative Legan.

On motion of Representative Legan, **CCR HCS SCS SB 657** was adopted by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42	Ford	Kelly 27	Reynolds	Steen
Thompson 37	Troupe			

VACANCY: 001

On motion of Representative Legan, **CCS HCS SCS SB 657** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Mitchell	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42	Ford	Lumpe	Reynolds	Steen
Thompson 37	Troupe			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENTS

HCS HB 781, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4, relating to Alzheimer's care disclosure, was taken up by Representative Stokan.

Representative Stokan offered House Perfecting Amendment No. 1 to Senate Amendment No. 1.

House Perfecting Amendment No. 1
to
Senate Amendment No. 1

AMEND Senate Amendment No. 1 to House Committee Substitute for House Bill 781, published in the 5/6/96 Journal of the House, Page 20, Line 1, by deleting the word "means" and inserting in lieu thereof the word

"meals".

On motion of Representative Stokan, House Perfecting Amendment No. 1 to Senate Amendment No. 1 was adopted.

HCS SB 781, with Senate Amendment No. 1, as amended, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4, was laid over.

THIRD READING OF SENATE BILL

HCS SB 904, as amended, relating to floodplain management, was again taken up by Representative Wiggins.

Representative Thomason (163), having voted on the prevailing side, moved that the vote by which **HCS SB 904, as amended,** was adopted be reconsidered.

Which motion was adopted by the following vote:

AYES: 096

Auer	Backer	Barry 100	Bartelsmeyer	Bland
Bonner	Boucher	Bray 84	Brown	Burton
Canuteson	Carter	Champion	Childers	Clayton
Cooper	Crum 112	Crump 152	Daniels 41	Davis
Days	Dougherty	Elliott	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Graham	Green
Gunn	Hagan-Harrell 123	Hall	Harlan	Hartzler
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Legan	Linton	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McLuckie	Montgomery	Morgan
Murray 69	Murray 135	Naeger	O'Neill	O'Toole
Oetting	Overschmidt	Pauley	Pouche	Relford
Reynolds	Ribaudo	Rizzo	Robirds	Sallee
Scheve	Schilling	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Stoll
Summers	Tate	Thomason 163	Van Zandt	Ward
Whiteside	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 050

Akin	Alter	Ballard	Barnett 4	Bennett 15
Boatright	Broach	Chrismer	Cierpiot	Copeland
Donovan	Edwards-Pavia	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Gratz	Griesheimer
Gross	Hand	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Keeven	Kelley 47	Levin
Long	Loudon	McClelland	Mitchell	Murphy
Nordwald	Prost	Pryor	Richardson	Ridgeway
Ross	Schwab	Scott	Secrest	Sombart
Surface	Treadway	Vogel	Wannenmacher	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 016

Daniel 42	Farmer	Ford	Garnett	Goward
Heckemeyer	Leake	Liese	Lograsso	O'Connor
Ostmann	Steen	Stokan	Thompson 37	Troupe

Wooten

VACANCY: 001

Representative Witt assumed the Chair.

Representative Wiggins offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Bill No. 904, Page 2, Section 1, Line 1, by deleting the words "**There is hereby created in the**" and inserting in the lieu thereof the following: "**The**"; and

Further amend said bill, Page 2, Section 1, Line 2, by deleting the words "**a "Division of Floodplain Management", hereinafter called the division, whose purpose**"; and

Further amend said bill, Page 2, Section 1, Line 3, by deleting the words "**be to**"; and

Further amend said bill, Page 2, Section 1, Line 6, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 2, Section 1, Line 9, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 2, Section 1, Line 19, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 3, Section 2, Line 15, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 3, Section 2, Line 18, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 3, Section 4, Line 2, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 4, Section 4, Line 8, by deleting the word "**division**" and inserting in lieu thereof the following: "**state emergency management agency**"; and

Further amend said bill, Page 4, Section 4, Line 9, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 4, Section 4, Line 11, by deleting the words "**the division**" and inserting in lieu thereof the following: "**the state emergency management agency**"; and

Further amend said bill, Page 4, Section 4, Line 15, by deleting the words "**The division**" and inserting in lieu thereof the following: "**The state emergency management agency**".

On motion of Representative Wiggins, House Amendment No. 7 was adopted.

HCS SB 904, as amended, was laid over.

On motion of Representative Backer, the House recessed until 2:00 p.m.

Seventieth Day-Wednesday, May 8, 1996

. . . he that receives should never forget.

The Talmud

Memorial Service

by the

Missouri

House of Representatives

May 8, 1996

The Memorial Service

Presentation of Colors

Missouri Army National Guard Color Guard

The National Anthem

General Assembly Gospel Singers

Hon. Rex Barnett *Hon. Carson Ross*

Hon. Gary Marble *Hon. Delbert Scott*

Hon. Larry Rohrbach Hon. Don Summers

Prayer

Hon. Pat Kelley

Reading of Memorial List

In Memorium		Assemblies Served
Paul Berra	St. Louis City	67 - 72
Ed Bohl	Cass County	77
Fred Brummel	St. Louis County	79 - 84
Don E. Burrell	Greene County	68 - 69
DeVerne Lee Calloway	St. Louis City	72 - 81
Paul Canaday	Greene County	68 - 73
James Carrington	St. Louis City	77 - 80
Sam Doutt	Jackson County	79 - 84
Edna Christine Eads	St. Francois County	74 - 77
Harold Esser	Jackson County	75 - 82
Howard Garrett	Jefferson County	72 - 82
Harlan Gould	St. Louis County	75
Felix Gunnell	Scotland County	71 - 72
Orchid Jordan Hollis	Jackson County	76 - 83
Martha Jarman	Ray County	82 - 86
Les Langsford	Greene County	74 - 77
Buddy Kay	St. Louis City	71 - 77
Selby King	Hickory County	73
Rush Limbaugh, Sr.	Cape Girardeau County	56
Mayce Jones Maness	Ripley County	61
Greg Mareschal	St. Louis County	77 - 78
Eugene Mazzuca	St. Louis City	73 - 76
Ben Meeks	Oregon County	59 - 68, 71 - 72
Ben Misbauer	St. Louis City	70 - 76
Ralph Moore	Livingston County	81
Celeste Petley	Madison County	66
William Raisch	St. Louis County	76 - 86
Clovis Sivils	Bates County	77
Harry Smith	Saline County	64 - 71
Earle Staponski	Lawrence County	82 - 87
William E. Strassburger	St. Louis City	79 - 81
James Pal Troupe, Sr.	St. Louis City	68 - 70, 72 - 76
Marguerite Underwood	Dade County	62
Fred Williams	St. Louis City	75 - 83
Clarence Wohlwend	St. Louis County	83 - 86
Marple Wyckoff	Putnam County	68 - 72
Robert Ellis Young	Jasper County	68 - 83
Mark Youngdahl	Buchanan County	76 - 85

Hon. Gene Copeland

Goin' Home

from New World Symphony arranged by Anton Dvorak

Sandra Reeves

(former legislator)

Nathalie Cross,

accompanist

The Gift of Friendship

by Helen Steiner Rice

Hon. Jim Graham

Memorial Message

Speaker Steve Gaw

Lord's Prayer

arranged by Malotte

Betty Hearnes (former legislator)

Taps

Jerry Ford

(former legislator)

Retirement of Colors

Reception immediately following Third Floor Rotunda

Family Escorts

Hon. Tony Ribaudo
Hon. Vicky Hartzler
Hon. Tim Green
Hon. Mike Schilling
Hon. Sue Shear
Hon. Craig Hosmer
Hon. O. L. Shelton
Hon. Dick Franklin
Hon. Bob Ward
Hon. Tom Hoppe
Hon. Steve Stoll
Hon. Michael Gibbons
Hon. Jim Sears
Hon. Vernon Thompson
Hon. Rodger Fitzwater
Hon. Connie Wible Murray
Hon. Joe Treadway
Hon. Delbert Scott
Hon. Mary Kasten

Hon. Bill Foster
Hon. Dave Reynolds
Hon. Joan Barry
Hon. Don Koller
Hon. Ron Auer
Hon. Dale Whiteside
Hon. Jim Graham
Hon. Catherine Enz
Hon. Jason Klumb
Hon. Tom Marshall
Hon. Linda Bartelsmeyer
Hon. Quincy Troupe
Hon. Bill Marshall
Hon. Paula Carter
Hon. Carl Hendrickson
Hon. Don Summers
Hon. Mark Elliott
Hon. Glenda Kelly

Staff Acknowledgements

Doug Burnett

Gayle Contryman

Susan Wilson

House Graphics

Memorial Committee

Hon. Marilyn Williams,

Chair

Hon. Jim Graham

Hon. Timothy P. Green

Hon. Sandra D. Kauffman

Hon. Jerry E. McBride

Hon. Carson Ross

Speaker Steve Gaw

House Memorial Service

"Our Inheritance"

May 8, 1996

There is a passage in the Book of Psalms that says, "We spend our years as a tale that is told."

The tale that is told of the Missouri House of Representatives is one that has special meaning to those of us who work here.

We are the temporary keepers of the public service torch that has been passed down from generation to generation.

All of us are here because we believe we have something to contribute to keep that flame alive.

We are fortunate to work in one of the most impressive Capitols in these United States.

Made of Missouri stone and built with Missouri hands, it is a proud testament to the people of this great state.

It is easy for us who work here day after day to take the building for granted, but it doesn't last for long.

All we have to do is step out into the third floor rotunda and see Missouri school children gazing up at the Whispering Gallery in wonder, or watch families hand in hand pointing to the detailed murals.

And in that rotunda, there are two inscriptions chiseled in stone over the back entrances to the House and Senate chambers.

Over the House chamber it says, "Progress is the Law of Life."

On the Senate side, it is written, "Not to be Served but to Serve."

If you go down one more floor near the governor's office, you will find a lunette that is entitled, "Assembling of the First Legislature - St. Charles, Missouri, 1821."

For us that serve in the Missouri General Assembly, this is where the bloodline begins.

The men who met on that historic day answered Missouri's first call to public service.

It was a job that had no job description, very few requirements and not much to offer in terms of pay.

In that regard, some would argue, little has changed over the years.

The first Missouri General Assembly on that day began a tradition of serving the people of the state of Missouri.

And now, we are ending the 88th Missouri General Assembly, and the tradition of working to help the people of the state continues.

Much like the current House membership, those first lawmakers came to represent the cities, the farms, the businesses, the rich and the poor.

Thousands have answered the public service call between 1821 and 1996 to serve in the legislative body.

Some were here only briefly, deciding to move on to new challenges.

Some were given the opportunity by their constituents to have a career of public service in the legislative branch of government.

And others have died during their legislative term.

Today, we pause to salute all the men and women who have served in this House and have departed this earthly world.

We owe a debt of gratitude to them for forging a path for us to follow and for passing the torch so that we can see our way down this road of public service.

Their legacy is our inheritance.

Whether we agree or not with all the decisions that have been made between the first and 88th Missouri General Assemblies, we know they performed to the best of their abilities.

In order to come to the Capitol and consider the needs and desires of the people they represent, these House members sacrificed time with their families and gave up a normal life in their communities.

As a result we have, as was intended, a citizen legislature.

John F. Kennedy said, "In a democracy, every citizen, regardless of his interest in politics, `holds office'; every one of us is in a position of responsibility; and, in the final analysis, the kind of government we get depends upon how we fulfill those responsibilities."

All of us would have to agree that those responsibilities in the Missouri House of Representatives have been filled admirably.

We have inherited a strong base on which to build for the future: education, roads, social services and judicial

systems.

As we try to build on our inheritance and make Missouri a stronger and a better place for families to live, let us remember the words of another great president, Abraham Lincoln.

He said: "Let us have faith that right makes might, and in that faith let us to the end dare to do our duty as we understand it."

Let us understand - and never forget - the debt we owe to the men and women who have preceded us in this chamber.

We are wiser from their lessons, stronger from their decisions and richer from their experiences.

It is an inheritance we shall always treasure and a tale that we should be proud to tell.

Thank you.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Smith.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jill Geerling, Ted Geerling, Craig Geerling, Kaye Geerling and John Jenkin.

RESOLUTIONS

Representatives McClelland and Hand offered House Resolution No. 1176, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Graham offered House Resolution No. 1177, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green offered House Resolution No. 1178, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Clayton offered House Resolution No. 1179, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1180, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1181, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Hartzler (124), et al, offered House Concurrent Resolution No. 15.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SB 858: Representatives Carter, Rizzo, Hosmer, Whiteside and Kauffman

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 1244**, begs leave to report it has examined the same and finds it to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 505**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 769 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 914** and has taken up and passed **HCS SB 914,**

as amended by the CCR.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1010, as amended**: Senators Lybyer, Wiggins, Goode, Russell and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1146.**

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SCS SBs 795, 542 and 563, relating to school finance, was taken up by Representative Stoll.

Representative Stoll offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 30, section 168.515, line 101, by striking "**under this section**" and inserting in lieu thereof "**pursuant to section 163.172, RSMo**".

Representative Legan offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1

to

House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 28, section 168.515, line 12, by inserting after all of said line the following: "**All teachers within each stage within the same school district shall receive equal salary supplements.**"; and

Further amend said substitute, page 30, section 168.515, line 101, by inserting after all of said line the following:

"**9. Beginning in the 1996-97 school year, for any teacher who participated in the career program in the 1995-96 school year, continues to participate in the program thereafter, and remains qualified to receive career pay pursuant to section 168.510, RSMo, the state's share of the teacher's salary supplement shall continue to be the percentage paid by the state in the 1995-96 school year, notwithstanding any provisions of subsection 4 of this section to the contrary, and the state shall continue to pay such percentage of the teacher's salary supplement until any of the following occurs:**

(1) The teacher ceases his or her participation in the program: or

(2) The teacher suspends his or her participation in the program for any school year after the 1995-96 school year. If the teacher later resumes participation in the program, the state funding shall be subject to the provisions of subsection 4 of this section.

On motion of Representative Legan, House Amendment No. 1 to House Amendment No. 1 was adopted.

On motion of Representative Stoll, House Amendment No. 1, as amended, was adopted.

Representative Klumb offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 & 563, page 19, section 163.172, line 45, by striking "**three**" and inserting in lieu thereof "**two**"; and

Further amend said substitute, page 19, section 163.172, line 46, by inserting after all of said line the following:

"**8. For any school year in which a school district receives funds pursuant to subsections 6 and 7 of this section, such school district shall continue to expend on teacher salaries no less than the amount it expended on teacher salaries in the school year immediately prior to the school year in which it first receives such funds.**

9. No school district receiving funds pursuant to subsections 6 and 7 of this section shall receive additional funds pursuant to subsection 6 of this section by virtue of the annexation of another school district to such school district during or after the school year immediately prior to the school year in which the annexing district first receives such funds; nor shall any school district annexed to a school district receiving funds pursuant to subsections 6 and 7 of this section also receive funds pursuant to subsection 6 of this section by virtue of such annexation if such annexation occurred during or after the school year immediately prior to the school year in which the annexing school district first receives such funds.".

On motion of Representative Klumb, House Amendment No. 2 was adopted.

Representative Marshall (133) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, Page 24, Section 165.016, Line 3, by deleting the word "Three" and inserting the word "Five"; and

Further amend same page and section, Line 5, by deleting the word "Two" and inserting the word "Three".

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 3.

Seventieth Day-Wednesday, May 8, 1996

House Substitute Amendment No. 1

for
House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, Page 24, Section 165.016, Line 1, by deleting said section.

Representative Shields moved that House Substitute Amendment No. 1 for House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 026

Akin	Alter	Ballard	Bartelsmeyer	Bennett 15
Brown	Burton	Chrismer	Elliott	Evans
Froelker	Hegeman	Hendrickson	Hohulin	Kasten
Keeven	Linton	Marble	Murphy	Naeger
Pryor	Secrest	Shields	Steen	Surface

Whiteside

NOES: 133

Auer	Backer	Barnett 4	Barry 100	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Canuteson	Carter	Champion	Childers	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kauffman	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murray 69	Murray 135
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Shear 83

Sheldon 104	Shelton 57	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 003

Daniel 42	Heckemeyer	Ward

VACANCY: 001

Representative Scheve assumed the Chair.

Representative Froelker offered House Substitute Amendment No. 2 for House Amendment No. 3.

House Substitute Amendment No. 2

for

House Amendment No. 3

AMEND House Substitute Amendment No. 2 for House Amendment No. 3 for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 25, section 165.016, line 3, by deleting on said line "three" and inserting in lieu thereof "five"; and

Further amend said bill, page 25, section 165.016, line 5, by deleting on said line "two" and inserting in lieu thereof "five"; and

Further amend said bill, page 25, section 165.016, line 13, by deleting on said line "two" and inserting in lieu thereof "five"

Representative Froelker moved that House Substitute Amendment No. 2 for House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 055

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Burton	Childers	Chrismer
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham	Gross
Hall	Hand	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Keeven	Kelley 47
Levin	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	Naeger	Nordwald	Oetting
Pryor	Ridgeway	Robirds	Ross	Scott
Secrest	Shields	Sombart	Steen	Summers
Surface	Vogel	Wannenmacher	Whiteside	Wieland

NOES: 100

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Broach	Canuteson	Carter
Champion	Clayton	Cooper	Copeland	Crum 112
Daniels 41	Davis	Days	Donovan	Dougherty
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Garnett	Goward	Gratz
Green	Griesheimer	Gunn	Hagan-Harrell	Harlan
Hartzler 123	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kauffman	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Liese	Luetkenhaus	Lumpe	Marshall 26	May

108				
Mays 50	McBride	McClelland	McLuckie	
Mitchell				
Montgomery	Morgan	Murphy	Murray 69	Murray
135				
O'Connor	O'Neill	O'Toole	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Relford	
Reynolds				
Richardson	Rizzo	Sallee	Scheve	
Schilling				
Schwab	Sears 1	Shear 83	Sheldon 104	
Shelton 57				
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Van Zandt	
Wiggins				
Williams 121	Williams 159	Witt	Wooten	Mr.
Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown	Cierpiot	Crump 152	Daniel 42	
Ribaudo				
Thompson 37	Ward			

VACANCY: 001

Representative Marshall (133) moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 059

Akin	Alter	Ballard	Barnett 4	
Bartelsmeyer				
Bennett 15	Boatright	Burton	Childers	
Chrismer				
Cierpiot	Elliott	Enz	Evans	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Griesheimer	Hall	Hand	Hartzler 124	
Hegeman				
Hendrickson	Hohulin	Howerton	Kasten	Keeven
Kelley 47	Levin	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	Montgomery	Murray
135				
Naeger	Nordwald	O'Connor	Oetting	Pryor
Ridgeway	Robirds	Ross	Sallee	Scott
Secrest	Shields	Sombart	Steen	
Summers				
Surface	Wannenmacher	Whiteside	Wieland	

NOES: 094

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Broach	Canuteson	Carter
Champion	Clayton	Cooper	Copeland	Crum
112				
Daniels 41	Davis	Days	Donovan	
Dougherty				
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Goward	Gratz	Green
Gross	Gunn	Hagan-Harrell	Harlan	
Hartzler 123				
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kauffman	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays
50				
McBride	McClelland	McLuckie	Mitchell	Morgan
Murphy	Murray 69	O'Neill	O'Toole	
Ostmann				
Overschmidt	Pauley	Pouche	Prost	
Relford				
Reynolds	Richardson	Rizzo	Scheve	
Schilling				
Schwab	Sears 1	Shear 83	Sheldon 104	
Shelton 57				

Skaggs	Smith	Stokan	Stoll	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wiggins
Williams 159	Witt	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Crump 152	Daniel 42	Edwards-Pavia	Ribaudo
Tate	Thompson 37	Ward	Williams 121	

VACANCY: 001

Representative Levin offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 25, section 165.016, line 43, by inserting after all of said line the following:

"165.017. The provisions of section 165.016, RSMo, shall not apply to any district receiving state aid pursuant to subsection 6 of section 163.031, RSMo, based on its 1992-93 payment amount per eligible pupil. Any such district shall operate under any salary compliance law in effect in the 1995-96 school year."; and

Further amend title and enacting clause accordingly.

The Speaker resumed the Chair.

Representative Levin moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 052

Akin	Alter	Ballard	Barnett 4	Bennett 15
Brown	Burton	Childers	Chrismer	Cierpiot
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Griesheimer	Gross	Hand
Hartzler 124	Hegeman	Hendrickson	Hohulin	Kasten
Kauffman	Keeven	Kelley 47	Kissell	Levin
Liese	Linton	Long	Loudon	Marble
Marshall 133	McClelland	McLuckie	Murphy	Murray 135
Pryor	Reynolds	Robirds	Sallee	Secrest
Shields	Sombart	Steen	Stokan	Surface
Vogel	Whiteside			

NOES: 101

Auer	Backer	Barry 100	Bartelsmeyer	Bland
Bonner	Boucher	Bray 84	Broach	Canuteson
Carter	Champion	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Garnett
Goward	Graham	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kelly 27
Koller	Kreider	Lakin	Leake	Legan
Lograsso	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	Mitchell	Montgomery	Morgan
Murray 69	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche

Prost	Relford	Richardson	Ridgeway	Rizzo
Ross	Scheve	Schilling	Schwab	Scott
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Stoll	Summers	Tate	
Thomason 163				
Treadway	Troupe	Van Zandt	Wannenmacher	
Wieland				
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 009

Boatright	Daniel 42	Edwards-Pavia	Hall	Klumb
Naeger	Ribaudo	Thompson 37	Ward	

VACANCY: 001

HCS SS SCS SBs 795, 542 and 563, as amended, was laid over.

BILL IN CONFERENCE

SCS HCS HB 1010, as amended, relating to appropriations, was taken up by Representative Carter.

Representative Carter moved that the House grant the Senate a further conference on **SCS HCS HB 1010, as amended,** and that the conferees be allowed to exceed the differences and the conferees be instructed to add the term "From General Revenue Fund. . . ." in **CCR for SCS HCS HB 1010** on page 35, lines 11 and 14.

Which motion was adopted.

THIRD READING OF SENATE BILL - INFORMAL

HCS SS SCS SBs 795, 542 and 563, as amended, relating to school finance, was again taken up by Representative Stoll.

Representative Hegeman offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 13, section 163.031, line 15, by inserting after the word "tax" the following: "**, except that any penalty paid after July 1, 1995, by a concentrated animal feeding operation as defined by the department of natural resources rule shall not be included**".

On motion of Representative Hegeman, House Amendment No. 5 was adopted.

Representative Childers offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 22, section 165.011, line 54, by deleting the number ".18" on said line and insert in lieu thereof the number ".22" ; and

Further amend said section line 60 by deleting the number ".06" on said line and inserting in lieu thereof the number ".10"; and

Further amend said bill page 24, section 165.016, line 8, by inserting after the word "section" the following:

"; except that, for any school district experiencing, over a period of three consecutive years, an average yearly increase in average daily attendance of at least three percent, the base school year certificated salary percentage may be the two year average percentage of the last two years of such period of three consecutive years, at the discretion of the school district

Representative Childers requested a division of the question.

House Amendment No. 6

PART I

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 22, section 165.011, line 54, by deleting the number ".18" on said line and insert in lieu thereof the number ".22" ; and

Further amend said section line 60 by deleting the number ".06" on said line and inserting in lieu thereof the number ".10";

Representative Childers moved that Part I of House Amendment No. 6 be adopted.

Which motion was defeated.

House Amendment No. 6

PART II

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 24, section 165.016, line 8, by inserting after the word "section" the following:

"; except that, for any school district experiencing, over a period of three consecutive years, an average yearly increase in average daily attendance of at least three percent, the base school year certificated salary percentage may be the two year average percentage of the last two years of such period of three consecutive years, at the discretion of the school district

On motion of Representative Childers, Part II of House Amendment No. 6 was adopted.

Representative Akin offered House Amendment No. 7.

Representative Stoll raised a point of order that House Amendment No. 7 is not germane to the bill.

Representative Tate raised a second point of order that House Amendment No. 7 goes beyond the scope of the bill.

The Chair ruled the points of order well taken.

Representative Hegeman offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 & 563, Page 24, Section 165.011, Line 127, by inserting immediately after the word "schools." the following: "**A school district with a levy for school purposes no greater than the minimum levy specified in section 163.021, RSMo, and an obligation in the capital projects fund that satisfies at least one of the conditions specified in subsection 6 of this section, may transfer from the incidental fund to the capital projects fund the amount necessary to meet the obligation plus the transfers pursuant to subsection 4 of this section.**".

On motion of Representative Hegeman, House Amendment No. 7 was adopted by the following vote:

AYES: 136

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bonner	Boucher
Broach	Brown	Burton	Canuteson	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Dougherty	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Green	Griesheimer	Gross
Gunn	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Mitchell
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Richardson	Ridgeway	Rizzo	

Robirds				
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	
Wieland				
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 018

Auer	Bray 84	Carter	Days	
Donovan				
Franklin	Gratz	Hagan-Harrell	Lumpe	
Marshall 26				
O'Connor	O'Neill	Reynolds	Schilling	Shear
83				
Shelton 57	Thompson 37	Treadway		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Boatright	Daniel 42	Edwards-Pavia	Hall
Leake	Ribaudo	Ward		

VACANCY: 001

Representative Shields offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 & 563, Page 25, Section 165.016, Line 27, by deleting lines 27 through 30 and renumbering remaining sections accordingly.

Representative Shields moved that House Amendment No. 8 be adopted.

Which motion was defeated.

Representative Childers offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 & 563, Page 24, Section 165.016, Line 18, by deleting the period on said line and inserting in lieu thereof the words "except any hold harmless district may have such balance at a level no greater than fifteen percent."

Representative Childers moved that House Amendment No. 9 be adopted.

Which motion was defeated.

Representative McClelland offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 795, 542 and 563, page 24, section 165.016, lines 8 through 10, by striking all of said lines and inserting in lieu thereof "**under subsection 3 of this section.**"; and

Further amend said bill, page 25, section 165.016, line 43, by inserting after all of said line the following:

"**7. The provisions of this section shall not apply to any district receiving state aid pursuant to subsection 6 of section 163.031, RSMo, based on its 1992-93 payment amount per eligible pupil,: which is less than 50% of the statewide average payment amount per eligible pupil paid during the previous year**."

On motion of Representative McClelland, House Amendment No. 10 was adopted.

On motion of Representative Stoll, **HCS SS SCS SBs 795, 542 and 563, as amended**, was adopted by the following vote:

AYES: 146

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bonner	Boucher
Bray 84	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Legan	Levin	Liese	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McClelland	McLuckie
Mitchell	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 003

Akin	Froelker	Linton

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Boatright	Edwards-Pavia	Hagan-Harrell	Hall
Leake	McBride	Pauley	Ribaudo	Scott
Sheldon 104	Stokan	Ward		

VACANCY: 001

On motion of Representative Stoll, **HCS SS SCS SBs 795, 542 and 563, as amended,** was read the third time and passed by the following vote:

AYES: 151

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bonner	Boucher
Bray 84	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152

Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Howard	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Mitchell	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 002

Akin	Linton

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Boatright	Edwards-Pavia	Hall	Leake
Pauley	Ribaudo	Scott	Ward	

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Gunn moved that motion lay on the table.

The latter motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SB 858, as amended**: Senators Banks, Wiggins, Singleton, Moseley and Sims.

CONFERENCE COMMITTEE REPORT
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 914

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on House Committee Substitute for Senate Bill No. 914, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Bill No. 914;

2. That the attached Conference Committee Amendment No. 1, be adopted;

3. That House Committee Substitute for Senate Bill No. 914, as amended by Conference Committee Amendment No. 1, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Bill Skaggs	/s/ Ed Quick
/s/ Tom Hoppe	/s/ Ronnie DePasco
/s/ Greg Canuteson	/s/ William Clay
/s/ Bonnie Sue Cooper	/s/ Irene Treppler
/s/ Beth Long	/s/ David Klarich

Conference Committee Amendment No. 1

Amend House Committee Substitute for Senate Bill No. 914, page 2, section 110.140, line 4, by striking "[two]" and inserting in lieu thereof the following: "two **or** "; and further amend line 5, by striking "[two]" and inserting in lieu thereof the following: "two **or**"; and

Further amend said bill, page 2, section 110.150, line 2, by inserting immediately after the word "every" the following: "**second or**"

COMMITTEE REPORTS

Committee on Education - Higher, Chairman Scheve reporting:

Mr. Speaker: Your Committee on Education - Higher, to which was referred **SB 805**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 634**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SCR 28**, begs leave to report it has examined the same and recommends that it **Do Pass.**

SENATE CONCURRENT RESOLUTION NO. 28

WHEREAS, the United States has long supported a just peace in Northern Ireland, one that can only be achieved with a settlement that protects the civil rights of all parties; and

WHEREAS, a cornerstone of United States immigration policy is reuniting families, and preferences are given to immediate family members seeking admission into the United States; and

WHEREAS, the United States has maintained a proud heritage that has centered around the ideals of liberty and support for international human rights, and has expressly condemned governments for their failure to help families reunite; and

WHEREAS, separating a person from loved ones causes great anguish for all those involved; and

WHEREAS, Matt Morrison sought refuge in the United States after having served his sentence as prescribed by the British Courts, and subsequently found sanctuary in this country, established a fine family, and made this great land his home; and

WHEREAS, Matt Morrison has worked, paid taxes, obeyed laws, and lived peaceably in the St. Louis area for the past ten years; and

WHEREAS, the Immigration and Naturalization Service has pending deportation proceedings against Matt Morrison, who is not wanted by the British Courts for a crime, and who is not suspected of a crime in the United States of America or in the United Kingdom; and

WHEREAS, these proceedings have provoked great controversy and criticism within Ireland and Great Britain and have been criticized by human rights organizations worldwide; and

WHEREAS, Matt Morrison's wife, Francie, and their two children are citizens of the United States of America; and

WHEREAS, the deportation of Matt Morrison would disrupt his family and separate him from his spouse and his American-born children in a manner that is repugnant to principles of United States Immigration policy and the oft-stated declarations of this nation; and

WHEREAS, many mentally-ill citizens in the St. Louis area would suffer directly if Matt's wife, Francie, who serves as Director of Places For People, is forced to leave this country; and

WHEREAS, Matt Morrison, his loving wife, Francie, and his two children, Matthew and Mary Kate, are united in their desire to keep the family intact, and the citizens of the City of St. Louis along with many friends and loved ones share this desire:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate of the Eighty-eighth General Assembly, the House of Representatives concurring therein, hereby join the Board of Aldermen of the City of St. Louis in calling upon the United States Immigration and Naturalization Service to stay the deportation proceedings against Matt Morrison, who has served sentence for offenses stemming from the conflict in Northern Ireland, and to permit Mr. Morrison to remain in the United States with his family; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the United States Immigration and Naturalization Service.

Committee on Motor Vehicle and Traffic Regulations, Chairman Sheldon (104) reporting:

Mr. Speaker: Your Committee on Motor Vehicle and Traffic Regulations, to which was referred **SS SCS SB 510**, begs leave to report it has examined the same and recommends that it **Do Pass.**

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

HCS SCS SBs 884 & 841 - Budget (Fiscal Note)

HCS SS SCS SB 722 - Budget (Fiscal Note)

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE
State of Missouri
May 8, 1996

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

88TH GENERAL ASSEMBLY

SECOND REGULAR SESSION

STATE OF MISSOURI:

Herewith I return to you House Bill No. 1168 entitled:

"AN ACT"

Relating to Missouri's peace officers memorial day, with an emergency clause.

On May 8, 1996, I approved said House Bill No. 1168.

Respectfully submitted,

/s/ Mel Carnahan

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, May 9, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Sixty-Ninth Day, Tuesday, May 7, 1996, pages 6 and 7, roll call, by showing Representatives Brown, Kauffman and Robirds voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representative Days voting "aye" rather than "absent with leave".

Page 8, roll call, by showing Representative Akin voting "aye" rather than "absent with leave".

Pages 21 and 22, roll call, by showing Representatives Foley and Williams (121) voting "aye" rather than "absent with leave".

Pages 23 and 24, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

Pages 23 and 24, roll call, by showing Representative Levin voting "aye" rather than "no".

Pages 25 and 26, roll call, by showing Representatives Richardson and Gross voting "aye" rather than "absent with leave".

Pages 26 and 27, roll call, by showing Representative Relford voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Thursday, May 9, 1996, 1:30 pm. Hearing Room 9. Executive session.

To be considered - SB 836

BUDGET

Thursday, May 9, 1996, 8:30 am. Hearing Room 9.

Executive session on previously heard bills.

COMMERCE

Thursday, May 9, 1996, 9:00 am. Hearing Room 5. Executive session to follow.

To be considered - SB 524

CORRECTIONAL & STATE INSTITUTIONS

Thursday, May 9, 1996, 1:00 pm. Hearing Room 8. Executive Session.

To be considered - SB 489, SB 781

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, May 9, 1996, 9:00 am. Hearing Rooms 1 & 2.

To be considered - SB 852

INSURANCE

Thursday, May 9, 1996. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 597

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 9, 1996, 9:00 am. Hearing Room 7. Amended

RETIREMENT

Thursday, May 9, 1996, 9:30 am. Side Gallery. Executive session to follow.

To be considered - SB 685

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Thursday, May 9, 1996. Hearing Room 9 upon evening adjournment.

Executive session may follow. Amended Notice

To be considered - SB 713

TOURISM, RECREATION AND CULTURAL AFFAIRS

Thursday, May 9, 1996, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - SB 695

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Thursday, May 9, 1996. Side gallery upon morning adjournment. Executive session.

HOUSE CALENDAR

SEVENTY-FIRST DAY, THURSDAY, MAY 9, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending ->

Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

1 HCS SB 904, as amended, - Wiggins
2 SB 783, HCA 1 - May (108)
3 SB 898 - Elliott
4 HCS SB 664 - Hartzler (123)
5 HCS SS SB 560 - May (108)
6 HCS SB 888, (Budget Fiscal 5-1-86) - Jacob
7 HCS SB 769 - Canuteson
8 SB 589 - Dougherty
9 SB 757, (Budget Fiscal 5-6-96) - Sears (1)
10 SB 525, HCA 1 - Backer
11 SB 526 - Harlan
12 SS SB 981, HCA 1, HCA 2 & HCA 3, E.C. - Farmer
13 HCS SS SCS SB 723 & 891 - Rizzo
14 HCS SB 572 - Morgan
15 HCS SCS SB 884 & 841, (Budget Fiscal 5-8-96) - Witt
16 HCS SS SS SB 488 - Dougherty
17 HCS SS SCS SB 722, (Budget Fiscal 5-8-96) - Hosmer

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

SB 854 - Backer

SENATE BILL FOR THIRD READING - FEDERAL MANDATE

SCS SB 777 - Hosmer

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1098, SA 1, SA 1 to SA 2, SA 2,as amended, - Goward

HCS HB 781, SA 1, as amended, SA 2, SA 3, SA 4 - Stokan

HS HB 832, SA 1,SA 2 - Montgomery

BILLS IN CONFERENCE

CCR SCS HCS HB 1011 - Troupe

CCR SCS HCS HB 1012 - Green

HCS SB 676 - Smith

CCR HCS SB 914 - Skaggs

HB 811, as amended - Smith

CCR#4 HCS SS SB 687, as amended, E.C. - Lumpe

SS SCS HB 974 - Crump

SB 858, as amended - Carter

SCS HCS HB 1010, as amended - Carter

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTIONS

HR 305, (2-29-96, p. 16) - Sombart

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HR 332, (2-29-96, pgs. 15 & 16) - Gratz & Vogel

HR 557, (4-17-96, pg. 9) - Kreider

HR 600, (4-17-96, pg. 9) - Bland

HR 727, (4-17-96, pgs. 9 & 10) - Lakin

HR 782, (4-17-96, pg. 11) - Farnen

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SEVENTY-FIRST DAY, Thursday, May 9, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Cheryl L. Tatham.

In these waning days of this session, O God, when work hours grow longer, tempers grow shorter, and fatigue sets in, help those representatives maintain a positive attitude toward the work to be done. Give them insight to see the good that their efforts will bring about.

Help them, Lord, to say along with Samuel: "Speak, O Lord, your servant is listening." Speak to them a word of encouragement when they are discouraged and depressed. Speak a word of warning when they stray from what is right. Speak a word of comfort when life hurts. Speak a word of guidance when they don't know which way to go or what to choose. Speak to them, Lord. Help them to distinguish between the importance and the urgent, and let them not allow the things which do not matter to matter too much.

Be present to them this day in all that they do and say. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Josh Cullum, Caleb Perkins, Jennifer Kent, Mckay Mittag, Krista Bartelsmeyer, Mona Mitchell, Levi Mitchell, Sarah Heckemeyer, Cathleen Rose Barkett, Geoffrey Matteson, Miranda Lancaster, Ashley Brookens, Robbie Lewis, Daniel O'Loughlin, James Thornton, Kristen Gunn, Ryan Ludwick, Ashley McGee, Carl Davis, Johnathan Hatcher, Naneuleta Saffold, Robert Taylor, Jessica Ford, Florence Fields, Michael Jones, Corey Meyer, Stephen Weis, Ryan Binkley, Jimmy Wolford, Kyle Hibdon, Stephanie Hinds, Erin McNeill, Lauraetta Lockridge, Rachelle Spaulding, Cindy Spaulding, Brandon Carter, Terrill Enyard, Brandon Blackwell, Josh LeBerge, Kaleb Mormann, Alec Davis, Patricia Welch, Edwin Bunch and Sarah Chrislip.

The Journal of the seventieth day was approved as corrected.

RESOLUTIONS

Representative Mitchell offered House Resolution Nos. 1182 through 1191, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Evans offered House Resolution Nos. 1192, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Sombart offered House Resolution No. 1193, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scott offered House Resolution No. 1194, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1195, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Mitchell offered House Resolution Nos. 1196 through 1199, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Tate offered House Resolution Nos. 1200 through 1221, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Harlan offered House Resolution No. 1222, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives McClelland and Hand offered House Resolution No. 1223, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SB 757 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SB 888 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Representative Williams (121) assumed the Chair.

The following member's presence was noted: Mitchell.

LETTER OF RESIGNATION

May 9, 1996

Honorable Steve Gaw

Speaker of the House

Missouri House of Representatives

State Capitol Building

Jefferson City, MO 65101

Re: Resignation of office as member of the Missouri General Assembly; 148th District

Dear Speaker Gaw:

Pursuant to the Missouri State Constitution, I hereby resign as State Representative, District 148, effective this date, May 9, 1996.

As your are aware, I have accepted an appointment to the Missouri Probation and Parole Board.

I would ask that your office provide proper notice to all other parties necessary to make this resignation complete and final.

Thank you for your anticipated cooperation.

Respectfully submitted,

/s/ Jim Mitchell

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HB 781, **with Senate Amendment No. 1, as amended, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4**, relating to Alzheimer's care disclosure, was again taken up by Representative Stokan.

Representative Stokan moved that the House concur in **Senate Amendment No. 1, as amended, Senate Amendment No. 2 and Senate Amendment No. 4 to HCS HB 781** and request the Senate to recede from its position on **Senate Amendment No. 3** and take up and pass **HCS HB 781, as amended,** or, failing to do so, grant the House a conference.

The Speaker resumed the Chair.

Representative Lograsso requested a division of the question.

Representative Stokan moved that Senate Amendment No. 1, as amended, be adopted.

Which motion was defeated by the following vote:

AYES: 058

Auer	Backer	Barry 100	Bland	Boucher
Broach	Brown	Canuteson	Champion	Clayton
Crum 112	Donovan	Dougherty	Farnen	Foley
Foster	Hagan-Harrell	Harlan	Hosmer	Jacob
Kissell	Klumb	Kreider	Lakin	Levin
Long	Lumpe	May 108	McBride	McClelland
Montgomery	Morgan	Murphy	Murray 69	O'Neill
O'Toole	Oetting	Ostmann	Prost	Relford
Reynolds	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Skaggs	Smith	Stokan
Stoll	Treadway	Van Zandt	Vogel	Wiggins
Williams 121	Witt	Mr. Speaker		

NOES: 096

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Bray 84	Burton
Carter	Childers	Chrismer	Cierpiot	Cooper
Copeland	Daniels 41	Davis	Days	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Fiebelman
Fitzwater	Ford	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hall
Hand	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Koller
Leake	Legan	Liese	Linton	Lograsso
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
Mays 50	McLuckie	Murray 135	Naeger	Nordwald
O'Connor	Overschmidt	Pauley	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shelton 57	Shields
Sombart	Summers	Surface	Thomason 163	Troupe
Wannenmacher	Ward	Whiteside	Wieland	Williams 159

Wooten

PRESENT: 000

ABSENT WITH LEAVE: 007

Crump 152	Daniel 42	Heckemeyer	Ribaudo	Steen
Tate	Thompson 37			

VACANCY: 002

Representative Stokan moved that the House refuse to concur in **Senate Amendment No. 1, as amended, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4 to HCS HB 781** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HS HB 832, with Senate Amendment No. 1 and Senate Amendment No. 2, relating to veterans cemeteries, was taken up by Representative Montgomery.

Representative Montgomery moved that the House refuse to concur in **Senate Amendment No. 1 and Senate Amendment No. 2 to HS HB 832** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILL IN CONFERENCE

CCR HCS SB 914, relating to county governments, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **CCR HCS SB 914** was adopted by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Broach	Brown	Crump 152	Daniel 42	Hickey
Howerton	Lumpe	Ribaudo	Sallee	Steen

Ward

VACANCY: 002

On motion of Representative Skaggs, **HCS SB 914, as amended by the CCR,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt

Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher 121	Whiteside	Wieland	Wiggins	Williams
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42	Daniels 41	Hickey	Ribaudo	Sallee
Steen	Ward			

VACANCY: 002

Representative Witt declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

HOUSE RESOLUTIONS

HR 305, relating to use of Chamber, was taken up by Representative Sombart.

On motion of Representative Sombart, **HR 305** was adopted.

HR 332, relating to use of Chamber, was taken up by Representative Gratz.

On motion of Representative Gratz, **HR 332** was adopted.

HR 557, relating to use of Chamber, was taken up by Representative Kreider.

On motion of Representative Kreider, **HR 557** was adopted.

HR 600, relating to use of Chamber, was taken up by Representative Bland.

On motion of Representative Bland, **HR 600** was adopted.

HR 727, relating to Potawatomi Indians, was taken up by Representative Lakin.

On motion of Representative Lakin, **HR 727** was adopted.

HR 782, relating to use of Chamber, was taken up by Representative Farnen.

On motion of Representative Farnen, **HR 782** was adopted.

THIRD READING OF SENATE BILL - FEDERAL MANDATE

SB 777, relating to victims of domestic violence, was taken up by Representative Hosmer.

On motion of Representative Hosmer, **SB 777** was truly agreed to and finally passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham

Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Smith	Sombart
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Hohulin

PRESENT: 000

ABSENT WITH LEAVE: 010

Barry 100	Daniel 42	Hickey	Pryor	Ribaudo
Sallee	Skaggs	Steen	Stokan	Ward

VACANCY: 002

Representative Witt declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SB 904, as amended, relating to floodplain management, was again taken up by Representative Wiggins.

Representative Nordwald requested a division of the question.

On motion of Representative Wiggins, **Part I of HCS SB 904, as amended,** was adopted.

Representative Wiggins moved that **Part II of HCS SB 904, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 062

Bland	Boucher	Bray 84	Canuteson	Carter
Clayton	Cooper	Crump 152	Daniel 42	Davis
Days	Farmer	Farnen	Fitzwater	Foley
Ford	Green	Gunn	Hagan-Harrell	Hartzler 123
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Kelly 27	Klumb	Kreider	Lakin
Leake	Legan	Lumpe	Mays 50	McBride
McLuckie	Morgan	Murray 69	Murray 135	Naeger
O'Neill	Overschmidt	Pauley	Relford	Reynolds
Rizzo	Scheve	Schilling	Sears 1	Shear 83
Shelton 57	Shields	Skaggs	Smith	Stoll
Summers	Tate	Van Zandt	Wiggins	Williams 121
Witt	Mr. Speaker			

NOES: 092

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Broach	Brown	Burton	Champion
Childers	Chrismer	Cierpiot	Copeland	Crum 112
Daniels 41	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Fiebelman	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Griesheimer	Gross	Hall
Hand	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hohulin	Howerton	Keeven	Kelley 47	Kissell
Koller	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	May 108	McClelland	Murphy	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Pouche
Prost	Pryor	Richardson	Ridgeway	Robirds
Ross	Schwab	Scott	Secrest	Sheldon 104
Sombart	Steen	Surface	Thomason 163	Treadway
Troupe	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 007

Harlan	Montgomery	Ribaudo	Sallee	Stokan
Thompson 37	Ward			

VACANCY: 002

HCS SB 904, with Part I of HCS SB 904, as amended, adopted, was placed on the Informal Calendar.

The Speaker resumed the Chair.

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Smith.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Beth Lengfellner, Alexandria Hilliard, Greg McKenzie, Koji Nowell, Andrew Dann and Jordan Maus.

RESOLUTIONS

Representative McBride offered House Resolution No. 1224, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution Nos. 1225 and 1226, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Griesheimer offered House Resolution No. 1227, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226 and 1227**, begs leave to report it has examined the same and recommends that they **Do Pass**.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 29.**

SENATE CONCURRENT RESOLUTION NO. 29

WHEREAS, the general assembly is continually asked to act upon measures dealing with complex and controversial subjects; and

WHEREAS, such measures frequently require lengthy and comprehensive study and evaluation; and

WHEREAS, the committee system of evaluation of proposed legislation has time and again proved its worth to the entire membership of the general assembly;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring therein, that the standing committees of each house and such other committees of the Senate and House of Representatives as the president pro tem or the speaker shall designate may meet within the state, and without the state with the approval of the president pro tem or speaker, as the case may be, to consider bills or to perform any other necessary legislative function during the interim prior to the convening of the 89th general assembly; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the members of each committee incurred while attending such committee meetings of those committees, and the expenses of the research and clerical personnel assigned thereto, be paid from the appropriate House or Senate contingent fund.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HPA 1 to SCA 1 to HB 937** and has taken up and passed **HB 937, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 991**, entitled:

An act to repeal sections 226.005, 390.150, 508.070 and 622.010, RSMo 1994, relating to motor carriers, and to enact in lieu thereof sixteen new sections relating to the same subject, with penalty provisions.

With Senate Committee Amendment Nos. 1, 2, 3 and 4, Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, Senate Amendment No. 14 and Senate Amendment No. 15.

Senate Committee Amendment No. 1

Amend House Committee Substitute for House Bill No. 991, Page 1, Section A, Line 3 by inserting immediately after said line the following:

"94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, [but no such] **and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No** ordinance **imposing a sales tax pursuant to the provisions of this section** shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax **and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax**; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of ..... (city's name) impose a sales tax of ..... (insert amount) for transportation purposes?

[ ] Yes [ ] No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"[.]**;**

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of ..... (city's name) issue bonds in the amount of ..... (insert amount) for transportation purposes and impose a sales tax of ..... (insert amount) to repay such bonds?

[ ] YES [ ] NO

If you are in favor of the question place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal**, provided in subdivision (1) of this subsection,** by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. **If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect.** If a majority of the votes cast **on the proposal, as provided in subdivision (1) of this subsection,** by the qualified voters voting are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax [herein] authorized **in subdivision (1) of this subsection** unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. **If more than three-sevenths of the votes cast by the qualified voters voting are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.**

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo.

4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5. No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired.

94.745. 1. All moneys received by a city imposing a sales tax under the provisions of sections 94.700 to 94.755 shall be deposited by the city treasurer, or other city officer authorized by ordinance, in a special fund to be known as the "City Transportation Trust Fund". All moneys in such transportation trust fund shall be appropriated and disbursed only for transportation purposes as enumerated in sections 94.700 to 94.755. **The provisions of this subsection shall apply only to taxes authorized by sections 94.700 to 94.755 which have not been imposed to retire bonds issued pursuant to sections 94.700 to 94.755.**

2. All moneys received by a city which issues bonds pursuant to the provisions of section 94.705 and imposes the tax authorized by such section to retire such bonds shall be deposited in a special trust fund and shall be used solely to retire such bonds, except to the extent that such funds are required for the operation and maintenance of the capital improvements made with the proceeds of the bonds. Once all of such bonds have been retired, all funds remaining in the special trust fund required by this subsection shall be used solely for transportation purposes. Any funds in the special trust fund required by this subsection which are not needed to meet current obligations under the bonds issued pursuant to section 94.705 may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by section 94.705 which have been imposed to retire bonds issued pursuant to such section.

[2.] **3.** Any portion or all of the funds on deposit in a transportation trust fund may be appropriated and paid by a city directly to an interstate transportation authority, a city transit authority or a city utilities board for its general purposes in providing a public mass transportation system within an interstate transportation district or a municipality; provided that, before such funds may be appropriated and paid to any such interstate transportation authority, city transit authority or city utilities board with a service area population in excess of two million persons, such authority or board shall develop, for mutual agreement, a program of transit service to be provided to the city. Such program shall define the service to be provided, the fare structure to be in effect, the estimated cost of the total transit service program of the authority or board, and the estimated cost of the city's portion of the program. Such agreement shall be renewed prior to the beginning of each fiscal year and, when such agreement is reached, the city shall appropriate to the authority or board funds as are designated in the agreement for the period of the agreement. A city may designate by contract with an interstate transportation authority, a city transit authority or a city utilities board that a designated portion of such funds shall be used by the interstate transportation authority, the city transit authority or the city utilities board to provide specific service or frequency of service to underwrite a certain fare structure, or for any other

purposes consistent with providing a sound public mass transportation system.

[3.] **4.** Any provisions of sections 94.700 to 94.755 to the contrary notwithstanding, at least seven percent of the proceeds of any sales tax imposed under sections 94.700 to 94.755 that are appropriated and paid by a city to an interstate transportation authority, a city transit authority or a city utilities board shall be expended only for the purchase of new public mass transportation equipment, for the construction of public mass transportation facilities, or for any other capital expenditures or improvements to the property of the interstate transportation authority, city transit authority or city utilities board used in providing public mass transportation service, or to pay the interest or principal payments, or to satisfy sinking fund requirements on any negotiable notes or bonds or other instruments in writing issued for any of the above purposes.

[4.] **5.** Any provisions of sections 94.700 to 94.755 to the contrary notwithstanding, at least seven percent of the proceeds of any sales tax imposed under sections 94.700 to 94.755 that are appropriated and expended by a city for its general purposes in providing a public mass transportation system directly owned and operated by it shall be expended only for the purpose of new public mass transportation equipment, for the construction of public mass transportation facilities, or for any other capital expenditures or improvements to its properties used in providing public mass transportation service, or to pay the interest or principal payments, or to satisfy the sinking fund requirements on any negotiable notes or bonds or other instruments in writing issued for any of the above purposes.

[5.] **6.** No funds may be appropriated and paid to any such transportation authority, transit authority or utilities board, unless and until such authority or board shall file or shall have filed with the city paying such funds, and the secretary of state of the state of Missouri, annually and within six months after the close of such authority or board's fiscal year, an independently audited report and accounting as to such authority or board's management and administration of any and all funds received and expended by such authority or board.

[6.] **7.** Transportation authorities operating a public mass transportation system under sections 94.700 to 94.755 shall provide for interior and exterior advertising on each vehicle for mass transportation purposes."; and

Further amend the title and enacting clause accordingly.

Senate Committee Amendment No. 2

AMEND House Committee Substitute for House Bill No. 991, Page 3, Section 1, Lines 5 through 12, by deleting all of said lines and inserting in lieu thereof the following:

"(2) "Household goods", personal effects and property used or to be used in a dwelling when part of the equipment or supplies of such dwelling and similar property, if the transportation of such effects or property, is either arranged and paid for by the householder, including transportation of property from a factory or store when the property is purchased by the householder with intent to use in his or her dwelling, or arranged and paid for by another party. The term "household goods" shall not include personal property which when tendered to a motor carrier is crated or otherwise packaged to make it suitable for transportation by motor carriers of general commodities, freight or property;"; and

Further amend said bill, Page 4, Section 2, Line 12, by deleting the word "**wholly**" and inserting in lieu thereof the word "**only**".

Senate Committee Amendment No. 3

Amend House Committee Substitute for House Bill No. 991, Page 1, Section 226.005, Line 8 by inserting immediately after said line the following:

"301.041. 1. All commercial motor vehicles and trailers to be operated under agreements as provided for in sections 301.271 to 301.279 shall be registered annually.

2. An application for renewal registration under this section shall be made with all required documents on or before October first of each year. Renewal applications received after October first shall be assessed a penalty of one hundred dollars. The director or his designee may waive the penalty under this subsection for good cause.

3. Fees for commercial motor vehicles renewed under this section shall be paid no later than December first of each year except for payments made on an installment basis as provided in subsection 4 of this section. Renewal application fees not paid by December first shall be assessed a penalty of fifty dollars per vehicle, but in no case shall such penalty exceed one hundred fifty dollars per application. The director or his designee may, for good cause, waive or reduce any penalties assessed under this subsection.

4. Any owner of a commercial motor vehicle or trailer operated under agreements provided in sections 301.271 to 301.279 may elect to pay the annual registration fee in two equal installments, except that no such installment shall be less than one hundred dollars. The first installment shall be payable on or before December first, and the second installment shall be payable on or before June first of that registration year. Every owner electing to pay on an installment basis shall file with the director of the department of revenue, on or before December first, a surety bond**,** [or] certificate of deposit **or irrevocable letter of credit as defined in section 400.5-103, RSMo,** to guarantee the payment of the second installment. The bond or certificate **or letter of credit**

shall be in an amount equal to the payment guaranteed.

5. If a new application for registration of a commercial vehicle is made other than as specified in subsection 1 of this section, the registration fee shall be prorated as follows:

(1) For applications made between April first and June thirtieth, the applicant shall pay three-fourths of the annual registration fee;

(2) For applications made between July first and September thirtieth, the applicant shall pay one-half of the annual registration fee; and

(3) For applications made after October first of the current registration year, the applicant shall pay one-fourth of the annual registration fee.

6. Any applicant who fails to timely renew his registration with all required documents under this section or who fails to timely pay any fees and penalties owed under this section shall not be issued a temporary registration under agreements as provided for in sections 301.271 and 301.279. Nothing in this section shall prohibit the issuance of temporary registration credentials for additions to the registrant's fleet subsequent to renewal.

7. The applicant for registration under this section shall affix the registration plate issued by the director to the front of the vehicle in accordance with the provisions of section 301.130. Any vehicle required to be registered under this section shall display the plate issued to that vehicle no later than December thirty-first of each year. Failure to display the registration plates required by this section shall constitute a class A misdemeanor.

8. The director of revenue may prescribe rules and regulations for the effective administration of this section.

[9. The provisions of this section shall become effective April 1, 1994.]"; and

Further amend the title and enacting clause accordingly.

Senate Committee Amendment No. 4

Amend House Committee Substitute for House Bill No. 991, Page 1, Section 226.005, Line 1-8 by removing all of said section from the bill; and

Further amend the title and enacting clause accordingly

Senate Amendment No. 1

Amend House Committee Substitute for House Bill No. 991, Page 1, Section 226.005, Line 8 by inserting immediately after said line the following:

"301.140. 1. Upon the transfer of ownership of any motor vehicle or trailer, the certificate of registration and the right to use the number plates shall expire and the number plates shall be removed by the owner at the time of the transfer of possession, and it shall be unlawful for any person other than the person to whom such number plates were originally issued to have the same in his or her possession whether in use or not; except that the buyer of a motor vehicle or trailer who trades in a motor vehicle or trailer may attach the license plates from the traded-in motor vehicle or trailer to the newly purchased motor vehicle or trailer. The operation of a motor vehicle with such transferred plates shall be lawful for no more than thirty days.

2. In the case of a transfer of ownership the original owner may register another motor vehicle under the same number, upon the payment of a fee of two dollars, if the motor vehicle is of horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, not in excess of that originally registered. When such motor vehicle is of greater horsepower, gross weight or (in the case of a passenger-carrying commercial motor vehicle) seating capacity, for which a greater fee is prescribed, applicant shall pay a transfer fee of two dollars and a pro rata portion for the difference in fees. When such vehicle is of less horsepower, gross weight or (in case of a passenger-carrying commercial motor vehicle) seating capacity, for which a lesser fee is prescribed, applicant shall not be entitled to a refund.

3. Upon the sale of a motor vehicle or trailer by a dealer, a buyer who has made application for registration, by mail or otherwise, may operate the same for a period of fifteen days after taking possession thereof, if during such period the motor vehicle or trailer shall have attached thereto, in the manner required by section 301.130, number plates issued to the dealer. Upon application and presentation of satisfactory evidence that the buyer has applied for registration, a dealer may furnish such number plates to the buyer for such temporary use. In such event, the dealer shall require the buyer to deposit the sum of ten dollars and fifty cents to be returned to the buyer upon return of the number plates as a guarantee that said buyer will return to the dealer such number plates within fifteen days. The director shall issue a temporary permit or paper plate authorizing the operation of a motor vehicle or trailer by a buyer for not more than twenty days of the date of purchase.

4. The temporary permit or paper plate shall be made available by the director of revenue and may be purchased from the department of revenue upon proof of purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer, or from a dealer upon purchase of a motor vehicle or trailer for which the buyer has no registration plate available for transfer. The director shall make temporary

plates or permits available to registered dealers in this state in sets of ten plates or permits. The fee for the temporary permit or plate shall be seven dollars and fifty cents for each permit or plate issued. No dealer shall charge more than seven dollars and fifty cents for each permit issued. The permit or plate shall be valid for a period of twenty days from the date of issuance by the director of revenue to the purchaser of a motor vehicle or trailer, or from the date of sale of the motor vehicle or trailer by a dealer for which the purchaser obtains a permit or plate as set out above.

5. The permit or plate shall be issued on a form prescribed by the director and issued only for the applicant's use in the operation of the motor vehicle or trailer purchased to enable him to legally operate the vehicle while proper title and registration plate are being obtained, and shall be displayed on no other vehicle. [Commercial motor vehicles and trailers displaying a permit or paper plate issued under this section must be operated while empty except for its mounted equipment.] Permits or paper plates issued under this section shall not be transferable or renewable and shall not be valid upon issuance of proper registration plates for the motor vehicle or trailer. The director shall determine the size and numbering configuration, construction, and color of the permit and plate.

6. The dealer or authorized agent shall insert the date of issuance and expiration date, year, make, and manufacturer's number of vehicle on the paper plate or permit when issued to the buyer. The dealer shall also insert his dealer's number on the paper plate. Every dealer that issues a temporary permit or paper plate shall keep, for inspection of proper officers, a correct record of each permit or plate issued by him by recording the permit or plate number, buyer's name and address, year, make, manufacturer's number of vehicle on which the permit or plate is to be used, and the date of issuance."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

Amend House Committee Substitute for House Bill No. 991, Page 1, Section 226.005, Line 8 by inserting immediately following all of said line the following:

"226.955. **1**. Any corridor map filed pursuant to sections 226.952 to 226.957 may be revised from time to time by filing with the same regulatory authorities and county recorders who received the prior corridor map, in the manner set forth in sections 226.952 to 226.957, certified copies of an amended corridor map indicating any changes to be made in the location of the highway corridor. In the event that the commission fails to initiate construction of the new or relocated highway which was to be located within the approved corridor within twelve years after the certified copy of the corridor map is filed under sections 226.952 to 226.957, the commission shall, in order to maintain the corridor, recertify such corridor in the manner prescribed in sections 226.950 to 226.957.

2. In order to enable the commission to acquire property to preserve a corridor for future highway construction under the provisions of sections 226.950 to 226.973, the commission shall not be required to file construction plans for the future highway with the county clerk's office as required by Missouri supreme court rule 86 or detail plans of the future highway construction with the county clerk as required by section 226.050, RSMo.", and

Further amend said bill by amending the title and enacting clause accordingly.

Senate Amendment No. 3

Amend House Committee Substitute for House Bill No. 991, Page 1, Section 226.005, Line 8 by inserting immediately after said line, the following:

"**227.022. The highways and transportation commission shall include the following streets of the city of St. Louis within the state highway system for the purposes of surface maintenance and repair only: Beginning at the city limits of St. Louis at Pine Lawn, thence in a southeasterly direction over what is known as Natural Bridge Avenue to Salisbury Street, thence in a northeasterly direction over what is known as Salisbury Street to Interstate 70. Beginning at the city limits of St. Louis at Wellston, thence in a southeasterly direction over what is known as Page Boulevard to Dr. Martin Luther King Drive, thence in a southeasterly direction over what is known as Dr. Martin Luther King Drive to Tucker Boulevard. Beginning at the east curb line of Tucker Boulevard, thence in a easterly direction over what is known as Cole Street to Interstate 70. Beginning at the city limits of St. Louis at Maplewood, thence in an easterly direction over what is known as Manchester Avenue to Chouteau Avenue, thence in an easterly direction over what is known as Chouteau Avenue to Tucker Boulevard. Beginning at the city limits of St. Louis at Shrewsbury, thence in a northeasterly direction over what is known as Chippewa Street to Marino Avenue. Beginning at the city limits of St. Louis at St. Louis County, thence in a northeasterly direction over what is known as Gravois Avenue to Tucker Boulevard. Beginning at the city limits of St. Louis at St. Louis County, thence in a northerly direction over what is known as Broadway to Seventh Boulevard, thence in a northerly direction over what is known as Seventh Boulevard to Park Avenue, thence in a northerly direction over what is known as Broadway to Riverview Boulevard. Beginning at the city limits of St. Louis at Wellston, thence in a southeasterly direction over what is known as Dr. Martin Luther King Drive to Page Boulevard. Beginning at Interstate 270 in the city of St. Louis, thence in a southerly direction over what is known as Riverview Drive to Riverview Boulevard, thence in a southerly direction over Riverview Boulevard to Interstate 70. Beginning at Gravois Avenue in the city of St. Louis, thence in a northerly direction over what is known as Kingshighway Boulevard to Interstate 70.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

Amend House Committee Substitute for House Bill No. 991, Page 9, Section 12, Line 10 by inserting immediately after said line, the following:

"**Section 13. 1. Notwithstanding any other law to the contrary, the liability of any person owning or operating a special passenger train and any railroad corporation over whose tracks the special passenger train is operated, arising from a rail incident or accident occurring in the state and resulting from the operation of a special passenger train by the person or upon the person's tracks, shall not exceed ten million dollars for each claim, whether for compensatory or punitive damages.**

2. This section shall not limit the liability of a person whose intentional misconduct causes a rail incident or accident.

3. The person operating a special passenger train shall maintain insurance coverage of not less than ten million dollars per occurrence with the person and the railroad corporation over whose tracks the special passenger train is operated, as named insureds. Such insurance shall not have a self-insured retention or deducible greater than one hundred thousand dollars. A person shall provide evidence of such coverage upon demand of the director of the department of insurance or by the railroad corporation over whose tracks the special passenger train is to be operated.

4. As used in this section, the following terms shall have the meanings given:

(1) "Person", an individual, partnership, corporation, association, institution, city, county or other political subdivision, authority, state agency or institution, or federal government agency or institution;

(2) "Railroad", a railroad as defined in section 386.020, RSMo;

(3) "Railroad corporation", a railroad corporation as defined in section 386.020, RSMo;

(4) "Special passenger train", a train which is engaged in the business of providing private or for-hire transportation of passengers at speeds which do not exceed thirty-five miles per hour over a railroad.

5. Nothing in this section shall be construed to require a railroad corporation to permit the operation of a special passenger train over its tracks."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

Amend House CommitteeSubstitute for House Bill No. 991, Page 1, Section 226.005, Line 8 by inserting immediately after said line the following:

"390.126. 1. No motor carrier shall operate any motor vehicle on any public highway in this state until after such carrier shall have filed with, and same has been approved by the division, a certificate of any insurance carrier duly authorized to do business in this state certifying that there is in effect a liability insurance policy or bond in some reliable insurance company or association or other insurer satisfactory to the division and authorized to transact insurance business in this state, in such forms and upon such conditions as the division may deem necessary adequately to protect the interests of the public in the use of the public highways and with due regard to the number of persons and amount of property transported, which liability insurance shall bind the obligors thereunder to make compensation for injuries to persons and loss of or damage to property resulting from the negligent operation of such motor carrier; provided, that any motor carrier who shall furnish annually to the division, and at such other times as may be required, satisfactory proof and evidence of such carrier's financial ability to properly protect the interests of the public and pay compensation for injuries to persons and loss or damage to property, on account of or arising out of negligent operation of suchcarrier's business, shall not be required to furnish liability insurance policy or bond therefor.

2. No other or additional policies, bonds or licenses than those prescribed in this chapter shall be required of any motor carrier to which the provisions of this chapter apply by any city, town or other subdivision of the state[; provided, that] **except as provided in this section.** This section shall not be so construed as to interfere with the right of any county, city or other civil subdivision of the state, to levy and collect any property tax to which such motor carrier is liable under the general revenue laws of this state within such county, city or other civil subdivision wherein the property of such motor carrier may be subject to assessment and taxation.

3. Any city, county or airport authority, except a city not within a county or an airport authority associated with such city, may collect fees not to exceed seven dollars per trip from motor carriers engaged in commercial passenger operations upon the premises of any airport owned or operated by the city, county or airport authority. Nothing in chapter 390, RSMo, shall be construed to prevent the imposition and collection of such fees."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

Amend House Committee Substitute for House Bill No. 991, Page 1, Section 226.005, Line 8 by inserting immediately after said line, the following:

"226.200. 1. There is hereby created [and set up] a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of highways and transportation or the state highways and transportation commission, except:

(1) Money arising from the sale of bonds;

(2) Money received from the United States government; or

(3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsections 3, 4 and 5 of this section, from said fund shall be paid or credited the cost:

(1) Of collection of all said state revenue derived from highway users as an incident to their use or right to use the highways of the state;

(2) Of maintaining the state highways and transportation commission;

(3) Of maintaining the state highways and transportation department;

(4) Of any workers' compensation for state highways and transportation department employees;

(5) Of the share of the highways and transportation department in any retirement program for state employees, only as may be provided by law; and

(6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. For fiscal years prior to fiscal year 1993, the state highways and transportation department fund shall be reimbursed annually in an amount equal to the difference between the expenses incurred by state offices and departments for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments.

4. For fiscal year 1993, the state highways and transportation department fund shall be reimbursed on or before July 1, 1994, in an amount equal to the difference between the expenses incurred by state offices and departments during fiscal year 1993 for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for fiscal year 1987 to such state offices and departments as adjusted under this subsection. For the purposes of calculating any reimbursement for fiscal year 1993, the total amount appropriated to such state offices and departments during fiscal year 1987 shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund under subsection 1 of this section during fiscal year 1993 differs from the total state revenues paid or transferred into the fund during fiscal year 1992.

5. For fiscal year 1994 and for each fiscal year thereafter, the state highways and transportation department fund shall be reimbursed on or before the first day of the second succeeding fiscal year in an amount equal to the difference between the expenses incurred by state offices and departments during such fiscal year for the purposes specified in sections 30(a) and 30(b) of article IV of the constitution and the total amount appropriated from the state highways and transportation department fund for the preceding fiscal year to such state offices and departments as adjusted under this subsection. For the purposes of calculating any reimbursement under this subsection, the total amount appropriated to such state offices and departments during the previous fiscal year shall be increased or decreased by the percentage by which the total state revenues paid or transferred into the fund under subsection 1 of this section during such fiscal year exceeds the total state revenues paid or transferred into the fund during the preceding fiscal year.

6. The provisions of subsections 3, 4 and 5 of this section shall not apply to appropriations from the fund to the highways and transportation commission and department or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo, or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

7. All interest earned upon the state highways and transportation department fund [in excess of that amount which was earned by the state highways and transportation department fund in fiscal year 1991, which latter amount shall continue to be deposited in and to the credit of the general revenue fund,] shall be deposited in

and to the credit of such fund and shall be included in the calculation of total state revenues under subsections 4 and 5 of this section.

8. Any balance remaining in said fund after payment of said costs shall be transferred to the state road bond and interest sinking fund.

9. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, after April 1, 1992, shall not be used for administrative purposes or administrative expenses of the highways and transportation department."; and

Further amend the title and enacting clause accordingly

Senate Amendment No. 7

AMEND House Committee Substitute for House Bill No. 991, Page 1, In the Title, Line 3, by deleting the word "sixteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "sixteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said bill, Page 1, Section A, Line 3, by adding the following: after "12",/P>
"13" ; and

Further amend said bill, Page 9, Section 12, Line 10, by inserting immediately after said line the following:

"**Section 13. 1. The department of highways and transportation shall not accept any bid for a public works project with an estimated cost in excess of one million dollars unless the department determines such bid is made by a contractor which satisfies the provisions of subsection 2 of this section.**

2. The department of highways and transportation shall promulgate rules and regulations which determine a contractor's minimum qualifications necessary for the contractor's bid to be acceptable for a public works project in excess of one million dollars. The minimum qualifications shall determine the types of work and the maximum amount of work on which a contractor may submit a bid. The minimum qualifications shall be in regards to, but are not limited to, the following:

(1) The contractor's experience in performing the type of work project to be bid, including the construction experience of personnel necessary for the project;

(2) The contractor's ability to complete the work project to the satisfaction of the department and in a timely manner, including a listing of previous completed projects similar to the work project;

(3) An analysis of the contractor's most recent audited financial statement;

(4) The types of work the contractor is qualified to perform;

(5) The equipment the contractor has available for the project;

(6) The contractor's insurance coverage, including comprehensive general liability, worker's compensation and automobile coverages;

(7) The contractor's designation of a Missouri resident as its agent for the receipt of legal process; and

(8) The contractor's listing of all of its current projects in progress, including the value of the projects not yet completed and their completion dates.

3. Any contractor making a bid for a project with an estimated cost in excess of one million dollars shall provide information to the department necessary for a determination of minimum qualifications pursuant to subsection 2 of this section.

4. All information submitted by a contractor to the department relevant to a determination of minimum qualifications shall be confidential information as that term is defined pursuant to section 105.450, RSMo.

5. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

Senate Amendment No. 11

AMEND House Committee Substitute for House Bill No. 991, page 1, section 226.005, line 8, by inserting after said line the following:

"**227.023. The highways and transportation commission shall include the following street within the state highway system for the purposes of surface maintenance and repair only:**

Beginning in the City of Clayton at Interstate I70, Thence in an easterly directly over what is known as Forest

Park Parkway to Interstate 64."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

AMEND House Committee Substitute for House Bill No. 991, page 9, section 12, line 10, by inserting immediately after said line the following:

"305.230. 1. The state highways and transportation commission shall administer an aeronautics program within this state. The state commission shall encourage, foster and participate with the political subdivisions of this state in the promotion and development of aeronautics. The state commission may provide financial assistance in the form of grants from funds appropriated for such purpose to any political subdivision of this state acting independently or jointly **or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration** for the planning, acquisition, construction, improvement or maintenance of airports, or for other aeronautical purposes.

2. Any political subdivision of this state **or the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration** receiving state funds for the purchase, construction, or improvement, except maintenance, of an airport shall agree before any funds are paid to it to control by ownership or lease the airport for a period equal to the useful life of the project as determined by the state commission following the last payment of state or federal funds to it. In the event an airport authority ceases to exist for any reason, this obligation shall be carried out by the governing body which created the authority.

3. Unless otherwise provided, grants to political subdivisions **or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration** shall be made from the aviation trust fund. The aviation trust fund is a revolving trust fund exempt from the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue funds of the state by the state treasurer. All interest earned upon the balance in the aviation trust fund shall be deposited to the credit of the same fund.

4. The moneys in the aviation trust fund shall be administered by the state commission and, when appropriated, shall be used for the following purposes:

(1) As matching funds on an up to eighty percent state/twenty percent local basis, except in the case where federal funds are being matched, when the ratio of state and local funds used to match the federal funds shall be fifty percent state/fifty percent local:

(a) For preventive maintenance of runways, taxiways and aircraft parking areas, and for emergency repairs of the same;

(b) For the acquisition of land for the development and improvement of airports;

(c) For the earthwork and drainage necessary for the construction, reconstruction or repair of runways, taxiways, and aircraft parking areas;

(d) For the construction, or restoration of runways, taxiways, or aircraft parking areas;

(e) For the acquisition of land or easements necessary to satisfy Federal Aviation Administration safety requirements;

(f) For the identification, marking or removal of natural or manmade obstructions to airport control zone surfaces and safety areas;

(g) For the installation of runway, taxiway, boundary, ramp, or obstruction lights, together with any work directly related to the electrical equipment;

(h) For the erection of fencing on or around the perimeter of an airport;

(i) For purchase, installation or repair of air navigational and landing aid facilities and communication equipment;

(j) For engineering related to a project funded under the provisions of this section and technical studies or consultation related to aeronautics;

(k) For airport planning projects including master plans and site selection for development of new airports, for updating or establishing master plans and airport layout plans at existing airports;

(l) For the purchase, installation, or repair of safety equipment and such other capital improvements and equipment as may be required for the safe and efficient operation of the airport;

(2) As total funds, with no local match:

(a) For providing air markers, windsocks, and other items determined to be in the interest of the safety of the general flying public;

(b) For the printing and distribution of state aeronautical charts and state airport directories on an annual basis, and a newsletter on a quarterly basis or the publishing and distribution of any public interest information deemed necessary by the state commission;

(c) For the conducting of aviation safety workshops;

(d) For the promotion of aerospace education.

5. The general assembly may appropriate to the aviation trust fund an amount not to exceed five million dollars in each fiscal year for the purposes of this section. If on January thirty-first of any year, the unobligated balance of the aviation trust fund exceeds five million dollars, no appropriation shall be made for the following fiscal year.

6. In the event of a natural or manmade disaster which closes any runway or renders inoperative any electronic or visual landing aid on an airport, any funds appropriated for the purpose of capital improvements or maintenance of airports may be made immediately available for necessary repairs once they are approved by the Missouri highway and transportation department. For projects designated as emergencies by the Missouri highway and transportation department, all requirements relating to normal procurement of engineering and construction services are waived."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 13

AMEND House Committee Substitute for House Bill No. 991, Page 9, Section 12, Line 10 by inserting immediately after said line, the following:

"**Section 12 . 1. Any member of the Ancient Arabic Order, Nobles of the Mystic Shrine of North America (Shriners) living within the state of Missouri may receive special license plates as prescribed in this section after an annual payment of an emblem-use authorization fee to the Shrine temple to which the person is a member in good standing. The Shrine temple described in this section shall authorize the use of its official emblem to be affixed on multiyear personalized license plates as provided in this section. Any contribution to such Shrine temple derived from this section, except reasonable administrative costs, shall be contributed to the Shriners Hospitals for Crippled and Burned Children. Any member of such Shrine temple may annually apply to the temple for the use of the emblem.**

2. Upon annual application and payment of a ten dollar emblem-use contribution to the Shrine temple, the temple shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the member to the department of revenue at the time of registration of a motor vehicle. Upon presentation of the annual statement and payment of the fee required for personalized license plates in section 301.144, RSMo, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the emblem of the Shrine, to the vehicle owner.

3. The license plate authorized by this section shall be in a form as prescribed in section 301.129, RSMo, except that such license plates shall be made with fully reflective material with a common color scheme and design, shall be clearly visible at night, and shall be aesthetically attractive, as prescribed by section 301.130, RSMo.

4. A vehicle owner, who was previously issued a plate with the Shrine emblem authorized by this section but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the Shrine emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 14

AMEND House Committee Substitute for House Bill No. 991, Page 9, Section 12, Line 10, by inserting immediately after said line the following:

"**Section 13. Any nonprofit organization connected with a global community project directed toward the year 2004 and designated by the governing body of a city not within a county or a county with a population of over nine hundred thousand may authorize the use of a "St. Louis 2004" official emblem described in this section to be affixed on personalized license plates a provided in this section. Any vehicle owner may annually apply to a designated nonprofit organization for the use of the emblem. Upon annual application and payment of a twenty-five dollar emblem-use contributions to any designated nonprofit organization, such nonprofit organization shall issue to the vehicle owner, without further charge, an "emblem-use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the "St. Louis 2004" emblem described in this section, to the vehicle owner. The emblem design shall be approved by the governing bodies of a city not within a county and any county with a population of over nine hundred**

thousand. Each such license plate shall be embossed with the words "ST. LOUIS 2004" at the bottom of the plate. The license plate authorized by this section shall be made with fully reflective material with a common color scheme and design approved by the advisory committee established in section 301.129. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. A vehicle owner, who was previously issued a plate with the emblem authorized by this section who does not provide an emblem-use authorization statement at a subsequent time of registration, shall otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section and shall design all necessary forms. Any contribution to a designated nonprofit organization derived from this section may be used for any civic purpose deemed appropriate by the nonprofit organization."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 15

AMEND House Committee Substitute for House Bill No. 991, Page 9, Section 12, Line 10, by inserting after said line the following:

"**Section 1. The portion of interstate highway 44 contained within a county of the first class having a population between ninety and one hundred thousand and bordering on the state of Kansas shall be designated as the "Congressman Gene Taylor Highway.**"

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1099**, entitled:

An act to repeal sections 266.152, 266.160, 266.165, 266.170, 266.175, 266.180, 266.185, 266.190, 266.200, 266.205, 266.210, 266.220, 276.401, 276.411, 276.421, 276.423, 276.426, 276.436, 276.441, 276.456, 276.461, 276.471, 276.486, 276.491, 276.501, 276.506, 276.511, 276.516, 411.115, 411.131, 411.180, 411.260, 411.261, 411.271, 411.278, 411.280, 411.283, 411.287, 411.321, 411.323, 411.325, 411.391, 411.405, 411.471, 411.517, 411.518 and 411.519. RSMo 1994, and sections 266.195, 411.026 and 411.070, RSMo Supp. 1995, relating to agricultural products, and to enact in lieu thereof forty-nine new sections relating to the same subject with penalty provisions, and emergency clause for certain sections and an effective date for certain sections.

With Senate Amendment Nos. 1, 2, 3 and 4.

Senate Amendment No. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1099, Page 17, Section 266.200, Line 51, by striking the word "shall" and inserting in lieu thereof the following: "**may**"; and further amend line 52, by striking the following: "person named on the label" and inserting in lieu thereof the word "**guarantor**"; and further amend line 53, by striking the word "purchaser" and inserting in lieu thereof the word "**distributor**"; and

Further amend said bill, page 20, section 266.212, line 25, by inserting immediately after "RSMo" the following: "**, within thirty days after receipt of an order assessing an administrative penalty**"; and further amend line 31, by inserting immediately after "court" the following: "**within thirty days after receipt of the final administrative order**"; and

Further amend said bill, page 81, Section B, line 2, by striking the following: "266.152, 266.160,"; and further amend line 3, by striking all of said line; and further amend line 4, by striking the following: "266.205, 266.210 and 266.220" and inserting in lieu thereof the following: "276.401, 276.404, 276.411, 276.421, 276.423, 276.426, 276.436, 276.441, 276.456, 276.461, 276.471, 276.486, 276.491, 276.501, 276.506, 276.511, 276.516, 411.026, 411.070, 411.180, 411.260, 411.271, 411.278, 411.280, 411.283, 411.287, 411.321, 411.323, 411.325, 411.391, 411.405, 411.517, 411.518, 411.519 and 411.800"; and

Further amend said bill and page, Section C, lines 1-5, by striking all of said lines and inserting in lieu thereof the following:

"Section C. Sections 266.152, 266.160, 266.165, 266.170, 266.175, 266.180, 266.185, 266.190, 266.195, 266.200, 266.205, 266.210 and 266.220, RSMo, shall".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1099, page 27, section 276.421, lines 18 and 19, by deleting the words "**or an independent accountant**".

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1099, page 17, section 266.200, lines 53 through 58, by deleting all of said lines after "**purchaser.**" on line 53.

Senate Amendment No. 4

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1099, page 18, section

266.210, lines 21 through 23, by deleting the following language:

"If any prosecuting attorney refuses or fails to act on request of the director, the attorney general shall so act; however, no"

and substituting therefor the following:

"The prosecuting attorney may refer the matter to the attorney general who shall act in the matter. No"

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 4 on **HCS SS SB 687, as amended,** and has taken up and passed **CCS#4 HCS SS SB 687**.

Emergency Clause Adopted.

THIRD READING OF SENATE BILL - INFORMAL

SB 854, relating to Midwest low-level radioactive waste compact, was taken up by Representative Backer.

On motion of Representative Backer, **SB 854** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Broach	Brown	Burton
Canuteson	Carter	Champion	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 002

Bray 84 Shear 83

PRESENT: 002

Hendrickson Liese

ABSENT WITH LEAVE: 010

Boucher Childers Dougherty Hickey Lumpe
Ribaudo Stokan Thompson 37 Ward Witt

VACANCY: 002

Representative Smith declared the bill passed.

On motion of Representative Treadway, title to the bill was agreed to.

Representative Sears (1) moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILLS

SB 783, with House Committee Amendment No. 1, relating to employment security, was taken up by Representative May (108).

Representative May (108) offered **HS SB 783**.

Representative O'Neill offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 783, Page 1, In the Title, Line 9, by deleting the word "sixteen" and inserting in lieu thereof the following: "seventeen"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "sixteen" and inserting in lieu thereof the following: "seventeen"; and

Further amend said bill, Page 1, Section A, Line 7, by inserting after the number "288.200" the following: "288.379,"; and

Further amend said bill, Page 48, Section 288.200, Line 20, by inserting after all of said line the following:

"**288.379. 1. Effective January 1, 1997, an individual filing a new or renewed unemployment compensation claim shall, at the time of filing such claim, be advised that:**

(1) Unemployment compensation is subject to federal, state and local income tax;

(2) Requirements exist pertaining to estimated tax payments;

(3) The individual may elect to have federal income tax deducted and withheld from the individual's payment of unemployment compensation at the amount specified in the federal Internal Revenue Code;

(4) The individual shall be permitted to change a previously elected withholding status.

2. Amounts deducted and withheld from unemployment compensation shall remain in the unemployment compensation trust fund until transferred to the federal, state or local taxing authority as a payment of income tax.

3. The division shall follow all procedures specified by the United States Department of Labor and the federal Internal Revenue Service pertaining to the deducting and withholding of income tax.

4. Amounts shall be deducted and withheld pursuant to this section only after amounts are deducted and withheld for any overpayments of unemployment compensation, child support obligations, food stamps overissuances or any other amounts required to be deducted and withheld pursuant to this chapter.".

On motion of Representative O'Neill, House Amendment No. 1 was adopted.

Representative Pryor offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for Senate Bill No. 783, Page 1, In the Title, Line 5, by inserting after the figure "288.036,"

the following: "288.040,"; and

Further amend said bill, Page 1, In the Title, Line 9, by deleting the word "sixteen" and inserting in lieu thereof the following: "seventeen"; and

Further amend said bill, Page 1, Section A, Line 3 of said page, by inserting after the figure "288.036," the following: "288.040,"; and

Further amend said bill, Page 1, Section A, Line 4 of said page, by deleting the word "sixteen" and inserting the word "seventeen"; and

Further amend said bill, Page 1, Section A, Line 6 of said page, by inserting after the figure "288.036," the following: "288.040,"; and

Further amend said bill, Page 20, Section 288.036, Line 16 of said page, by inserting after all of said line the following:

"288.040. 1. A claimant who is unemployed and has been determined to be an insured worker shall be eligible for benefits for any week only if the deputy finds that:

(1) He has registered for work at and thereafter has continued to report at an employment office in accordance with such regulations as the division may prescribe;

(2) He is able to work and is available for work. No person shall be deemed available for work unless he has been and is actively and earnestly seeking work. Upon the filing of an initial or renewed claim, and prior to the filing of each weekly claim thereafter, the deputy shall notify each claimant of the number of work search contacts required to constitute an active search for work. No person shall be considered not available for work, under this subdivision, solely because he is a substitute teacher or is on jury duty. A claimant shall not be determined to be ineligible under this subdivision because of not actively and earnestly seeking work if:

(a) The claimant is participating in training approved under section 236 of the Trade Act of 1974, as amended, (19 U.S.C.A. Sec. 2296, as amended); or

(b) The claimant is temporarily unemployed through no fault of his own and has a definite recall date within eight weeks of his first day of unemployment; however, upon application of the employer responsible for the claimant's unemployment, such eight-week period may be extended at the discretion of the director;

(3) He has reported in person to an office of the division as directed by the deputy, but at least once every four weeks, except that a claimant shall be exempted from the reporting requirement of this subdivision if:

(a) The claimant is claiming benefits in accordance with division regulations dealing with partial or temporary total unemployment; or

(b) The claimant is temporarily unemployed through no fault of his own and has a definite recall date within eight weeks of his first day of unemployment; or

(c) The claimant resides in a county with an unemployment rate, as published by the division, of ten percent or more and in which the county seat is more than forty miles from the nearest division office;

Ineligibility under this subdivision shall begin on the first day of the week which the claimant was scheduled to claim and shall end on the last day of the week preceding the week during which the claimant does report in person to the division's office;

(4) Prior to the first week of a period of total or partial unemployment for which he claims benefits he has been totally or partially unemployed for a waiting period of one week. No more than one waiting week will be required in any benefit year. The one-week waiting period shall become compensable after unemployment during which benefits are payable for nine consecutive weeks. No week shall be counted as a week of total or partial unemployment for the purposes of this subsection unless it occurs within the benefit year which includes the week with respect to which he claims benefits;

(5) He has made a claim for benefits;

(6) The claimant is participating in reemployment services, such as job search assistance services, as directed by the deputy if the claimant has been determined to be likely to exhaust regular benefits and to need reemployment services pursuant to a profiling system established by the division, unless the deputy determines that:

(a) The individual has completed such reemployment services; or

(b) There is justifiable cause for the claimant's failure to participate in such reemployment services.

2. A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds he is or has been suspended by his most recent employer for misconduct connected with his work.

3. (1) Benefits based on "service in employment", defined in subsections 7 and 8 of section 288.034, shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this law; except that:

(a) With respect to service performed in an instructional, research, or principal administrative capacity for an educational institution, benefits shall not be paid based on such services for any week of unemployment commencing during the period between two successive academic years or terms, or during a similar period between two regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the first of such academic years (or terms) and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms;

(b) With respect to services performed in any capacity (other than instructional, research, or principal administrative capacity) for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a contract or a reasonable assurance that such individual will perform such services in the second of such academic years or terms;

(c) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits shall not be paid on the basis of such services to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performed such services in the period immediately before such vacation period or holiday recess, and there is reasonable assurance that such individual will perform such services immediately following such vacation period or holiday recess;

(d) With respect to services described in paragraphs (a) and (b) of this subdivision, benefits payable on the basis of services in any such capacity shall be denied as specified in paragraphs (a), (b), and (c) of this subdivision, to any individual who performed such services at an educational institution while in the employ of an educational service agency, and for this purpose the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(2) If compensation is denied for any week under paragraph (b) or (d) of subdivision (1) of this subsection, to any individual performing services at an educational institution in any capacity (other than instructional, research or principal administrative capacity), and such individual was not offered an opportunity to perform such services for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of the compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of paragraph (b) or (d) of subdivision (1) of this subsection.

4. (1) A claimant shall be ineligible for waiting week credit, benefits or shared work benefits for any week for which he is receiving or has received remuneration exceeding his weekly benefit amount or shared work benefit amount in the form of:

(a) Compensation for temporary partial disability under the workers' compensation law of any state or under a similar law of the United States;

(b) A governmental or other pension, retirement or retired pay, annuity, or other similar periodic payment which is based on the previous work of such claimant to the extent that such payment is provided from funds provided by a base period or chargeable employer under a plan maintained or contributed to by such employer; but, except for such payments made under the Social Security Act or the Railroad Retirement Act of 1974 (or the corresponding provisions of prior law), the provisions of this paragraph shall not apply if the services performed for such employer by the claimant after the beginning of the base period (or remuneration for such services) do not affect eligibility for or increase the amount of such pension, retirement or retired pay, annuity or similar payment[.]**;**

(c) Wages in lieu of notice, terminal leave pay, severance pay, separation pay or dismissal payments, regardless of whether the remuneration is voluntary or required by policy or contract. Lump sum payments and periodic payments shall be prorated by weeks on the basis of the most recent weekly wage of the individual for a standard work week.

(2) If the remuneration referred to in this subsection is less than the benefits which would otherwise be due, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration, and, if such benefit is not a multiple of one dollar, such amount shall be lowered to the next multiple of one dollar.

(3) Notwithstanding the provisions of subdivisions (1) and (2) of this subsection, if a claimant has contributed in any way to the Social Security Act or the Railroad Retirement Act of 1974, or the corresponding provisions of prior law, no part of the payments received under such federal law shall be deductible from the amount of benefits received under this chapter.

5. A claimant shall be ineligible for waiting week credit or benefits for any week for which or a part of which he

has received or is seeking unemployment benefits under an unemployment insurance law of another state or the United States; provided, that if it be finally determined that he is not entitled to such unemployment benefits, such ineligibility shall not apply.

6. (1) A claimant shall be ineligible for waiting week credit or benefits for any week for which the deputy finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute in the factory, establishment or other premises in which he is or was last employed. In the event he secures other employment from which he is separated during the existence of the labor dispute, he must have obtained bona fide employment as a permanent employee for at least the major part of each of two weeks in such subsequent employment to terminate his ineligibility. If, in any case, separate branches of work which are commonly conducted as separate businesses at separate premises are conducted in separate departments of the same premises, each such department shall for the purposes of this subsection be deemed to be a separate factory, establishment or other premises. This subsection shall not apply if it is shown to the satisfaction of the deputy that:

(a) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(b) He does not belong to a grade or class of workers of which, immediately preceding the commencement of the stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute.

(2) "Stoppage of work" as used in this subsection means a substantial diminution of the activities, production or services at the establishment, plant, factory or premises of the employing unit.

7. On or after January 1, 1978, benefits shall not be paid to any individual on the basis of any services, substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two successive sport seasons (or similar periods) if such individual performed such services in the first of such seasons (or similar periods) and there is a reasonable assurance that such individual will perform such services in the later of such seasons (or similar periods).

8. Benefits shall not be payable on the basis of services performed by an alien, unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provisions of section 212(d)(5) of the Immigration and Nationality Act).

(1) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(2) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of his alien status shall be made except upon a preponderance of the evidence.".

Representative Pryor offered House Amendment No. 1 to House Amendment No. 2.

House Amendment No. 1

to

House Amendment No. 2

AMEND House Amendment No. 2 to House Substitute for Senate Bill No. 783, page 8, section 288.040, line 19, by deleting the words "terminal leave pay,"

On motion of Representative Pryor, House Amendment No. 1 to House Amendment No. 2 was adopted.

On motion of Representative Pryor, House Amendment No. 2, as amended, was adopted.

Representative Pryor offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for Senate Bill No. 783, Page 25, Line 9 of said page, by inserting after all of said line the following:

"**The following shall be considered as "misconduct" and subject to the restrictions of this subsection: A claimant found to be in violation of an attendance or tardiness policy that had been communicated in writing to all employees and posted in a conspicuous place at the worksite where the claimant was employed. If the claimant was a member of a collective bargaining unit at the time of unemployment and the agreement between the former employer and the collective bargaining unit contains a provision on attendance or tardiness, such clause shall be deemed communication in writing to the claimant for purposes of this**

subsection. No provision of an attendance or tardiness policy which is not in conformity with the federal Family and Medical Leave Act of 1993 shall result in a loss of benefits pursuant to this subsection.".

Representative Pryor offered House Amendment No. 1 to House Amendment No. 3.

Representative May (108) raised a point of order that House Amendment No. 1 to House Amendment No. 3 is in the third degree.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

House Amendment No. 3 was withdrawn.

Representative Pryor offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for Senate Bill No. 783, Page 25, Line 9 of said page, by inserting after all of said line the following:

"**The following shall be considered as "misconduct" and subject to the restrictions of this subsection: A claimant found to be in violation of a reasonable attendance or tardiness policy that had been communicated in writing to all employees and posted in a conspicuous place at the worksite where the claimant was employed. If the claimant was a member of a collective bargaining unit at the time of unemployment and the agreement between the former employer and the collective bargaining unit contains a provision on attendance or tardiness, such clause shall be deemed communication in writing to the claimant for purposes of this subsection. No provision of an attendance or tardiness policy which is not in conformity with the federal Family and Medical Leave Act of 1993 shall result in a loss of benefits pursuant to this subsection.**".

Representative Pryor moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 070

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Brown	Burton	Childers
Chrismer	Cierpiot	Cooper	Crum 112	Edwards-Pavia
Elliott	Enz	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Hall	Hand
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Keeven	Kelley 47	Kreider
Legan	Liese	Linton	Lograsso	Long
Loudon	Marble	Marshall 133	McBride	McClelland
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Overschmidt	Pouche	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shields	Sombart	Steen	Summers
Surface	Thomason 163	Vogel	Whiteside	Williams 159

NOES: 080

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Broach	Canuteson	Carter
Champion	Clayton	Copeland	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Franklin
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hoppe	Hosmer
Jacob	Kauffman	Kelly 27	Kissell	Klumb
Lakin	Leake	Levin	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McLuckie	Montgomery

Morgan	Murphy	Murray 69	O'Connor	O'Neill
O'Toole	Pauley	Relford	Reynolds	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Stokan	Stoll	Tate	Thompson 37
Treadway	Troupe	Van Zandt	Wannenmacher	Wieland
Wiggins	Williams 121	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 011

Dougherty	Evans	Ford	Goward	Hickey
Koller	Prost	Ribaudo	Rizzo	Scheve

Ward

VACANCY: 002

Representative Hosmer offered House Amendment No. 4.

Seventy-first Day-Thursday, May 9, 1996

House Amendment No. 4

AMEND House Substitute for Senate Bill No. 783, Page 1, In the Title, Line 4, by deleting all of said line and inserting in lieu thereof the following: "288.200, 288.380, 327.401 and 347.187, RSMo 1994, and"; and

Further amend said bill, Page 1, Section A, Line 2 of said page, by deleting all of said line and inserting in lieu thereof the following:

"288.130, 288.140, 288.160, 288.190, 288.200, 288.380, 327.401 and 347.187,"; and

Further amend said bill, Page 1, Section A, Line 7 of said page, by deleting all of said line and inserting in lieu thereof the following: "288.130, 288.140, 288.160, 288.190, 288.200, 288.380, 327.401, 347.187,"; and

Further amend said bill, Page 60, Section 288.380, Line 3 of said page, by inserting after all of said line the following:

"327.401. 1. The right to engage in the practice of architecture or to practice as a professional engineer or to practice as a land surveyor shall be deemed a personal right, based upon the qualifications of the individual, evidenced by his **or her** certificate of registration and shall not be transferable; but any registered architect or any registered professional engineer or any registered land surveyor may practice his **or her** profession through the medium of, or as a member or as an employee of, a partnership or corporation if the plans, specifications, estimates, plats, reports, surveys or other like documents or instruments of the partnership or corporation are signed and stamped with the personal seal of the registered architect or registered professional engineer or registered land surveyor by whom or under whose personal direction the same were prepared and that the registered architect or registered engineer or registered land surveyor who affixes his **or her** signature and personal seal to any such plans, specifications, estimates, plats, reports or other documents or instruments shall be personally and professionally responsible therefor.

2. Any domestic corporation formed under the [general and business corporation law or under the professional] corporation law of this state, or any foreign corporation, now or hereafter organized and having as one of its purposes the practicing of architecture or professional engineering or land surveying and any existing corporation which amends its charter to propose to practice architecture or professional engineering or land surveying shall obtain a certificate of authority for each profession named in the articles of incorporation **or articles of organization** from the board which shall be renewed in accordance with the provisions of section 327.171 or 327.261 or 327.351, as the case may be, and from and after the date of such certificate of authority and while the authority or a renewal thereof is in effect, may offer and render architectural or professional engineering or land surveying services in this state if:

(1) At all times during the authorization or any renewal thereof the directors of the corporation shall have assigned responsibility for the proper conduct of all its architectural or professional engineering or land surveying activities in this state to an architect registered and authorized to practice architecture in this state or to a professional engineer registered and authorized to practice engineering in this state or to a land surveyor registered and authorized to practice land surveying in this state, as the case may be; and

(2) The person or persons who is or are personally in charge and supervises or supervise the architectural or professional engineering or land surveying activities, as the case may be, of any such corporation in this state shall be registered and authorized to practice architecture or professional engineering or land surveying, as the case may be, as provided in this chapter; and

(3) The corporation pays such fees for the certificate of authority, renewals or reinstatements thereof as are required.

3. As used in this section, the term "corporation" means any general business corporation, or limited liability company.".

On motion of Representative Hosmer, House Amendment No. 4 was adopted.

Representative Ridgeway offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for Senate Bill No. 783, by adding on the last page a new section as follows:

Benefits shall not be paid to any individual on the basis of any services, substantially all of which consist of preparing or cleaning a professional sporting arena or forum for professional sporting events for any week which commences during the period between two successive sporting events, if such individual has previously performed such services and there is a reasonable assurance that such individual will perform such services for the next such sporting event.

Representative Ridgeway moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 071

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Brown	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Cooper
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Hegeman
Hohulin	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Legan	Levin	Linton	Lograsso
Long	Loudon	Marble	Marshall 133	McClelland
Murphy	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Pouche	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Shelton 57	Shields	Sombart	Steen
Summers	Surface	Vogel	Wannenmacher	Whiteside

Wieland

NOES: 085

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Broach	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Edwards-Pavia	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Garnett	Goward	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hendrickson	Hoppe
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Montgomery	Morgan	Murray 69
O'Connor	O'Neill	O'Toole	Overschmidt	Pauley
Prost	Relford	Reynolds	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Skaggs
Smith	Stokan	Stoll	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Wiggins

Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 005

Donovan	Dougherty	Hickey	Ribaudo	Ward

VACANCY: 002

Representative Hegeman offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for Senate Bill No. 783, page 60, section 288.380, line 3, by inserting immediately after said line, the following:

347.015. As used in sections 347.010 to 347.187, the following terms mean:

(1) "Articles of organization", the articles referred to in section 347.039, filed with the secretary for the purpose of forming a limited liability company, as the same may be amended or restated from time to time as provided in sections 347.010 to 347.187;

(2) "Authorized person", manager, or member, if management of the limited liability company is vested in the members;

(3) "Bankruptcy", the entry of an order for relief by the court in a proceeding under the United States Bankruptcy Code, Title 11, U.S.C., as amended, or its equivalent under a state insolvency act or a similar law of other jurisdictions;

(4) "Business" includes every trade, occupation or profession;

(5) "Contribution", cash, other property, the use of property, services rendered, a promissory note or other binding obligation to contribute cash or property or perform services or any other valuable consideration transferred by a person to the limited liability company as a prerequisite for membership in the limited liability company and any subsequent transfer to the limited liability company by a person in his capacity as a member;

(6) "Court" includes every court and judge having jurisdiction in the case;

(7) "Domestic limited liability company" or "limited liability company", a limited liability company organized and existing under sections 347.010 to 347.187;

(8) "Event of withdrawal", an event that causes a person to cease to be a member as provided in section 347.123;

(9) "Foreign limited liability company", a limited liability company formed under the laws of any jurisdiction other than the state of Missouri;

(10) "Limited liability company", a legal entity that is an unincorporated organization having two or more members, and that is organized pursuant to or is subject to this chapter;

[(10)] **(11)** "Manager", with respect to a limited liability company whose articles of organization state that management of the limited liability company is vested in one or more managers, the person or persons designated, appointed or elected as such in the manner provided in subsection 2 of section 347.079;

[(11)] **(12)** "Member", any person that signs in person or by an attorney in fact, or otherwise is a party to the operating agreement at the time the limited liability company is formed and is identified as a member in that operating agreement and any person who is subsequently admitted as a member in a limited liability company in accordance with sections 347.010 to 347.187 and the operating agreement, until such time as an event of withdrawal occurs with respect to such person;

[(12)] **(13)** "Member's interest", a member's share of the profits and losses of a limited liability company and the right to receive distributions of limited liability company assets;

[(13)] **(14)** "Operating agreement", any valid agreement or agreements, written or oral, among all members, concerning the conduct of the business and affairs of the limited liability company and the relative rights, duties and obligations of the members and managers, if any;

[(14)] **(15)** "Organizer", any of the signers of the initial articles of organization;

[(15)] **(16)** "Person" includes individuals, partnerships, domestic or foreign limited partnerships, domestic or foreign limited liability companies, domestic or foreign corporations, trusts, business trusts, **employee stock ownership trusts,** real estate investment trusts, estates and other associations or business entities **or any other**

legal entity;

[(16)] **(17)** "Real property" includes land, any interest, leasehold or estate in land and any improvements thereon;

[(17)] **(18)** "Secretary", the secretary of state for the state of Missouri and its delegates responsible for the administration of sections 347.010 to 347.187;

[(18)] **(19)** "Surviving entity", the surviving or resulting person pursuant to a merger or consolidation in which one or more domestic limited liability companies are parties. "; and

Further amend the title and the enacting clause accordingly.

On motion of Representative Hegeman, House Amendment No. 6 was adopted.

On motion of Representative May (108), **HS SB 783, as amended**, was adopted.

On motion of Representative May (108), **HS SB 783, as amended,** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Crump 152	Donovan	Dougherty	Hickey	Lograsso
Luetkenhaus	Ribaudo	Steen	Thompson 37	Ward

Williams 121

VACANCY: 002

Representative Smith declared the bill passed.

On motion of Representative Klumb, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative Pauley moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SS SCS SB 507, HCS SS SCS SB 494, HCS SCS #2 SB 860 and SCS SB 677** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

SIGNING OF HOUSE BILL

All other business of the House was suspended while **HB 1473** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 1473** was delivered to the Governor by the Chief Clerk of the House.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HB 832: Representatives Montgomery, Luetkenhaus, Pauley, Hartzler (123) and Richardson.

Representative Smith resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1 and SA 2 to HS HB 832** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 676** and has taken up and passed **SB 676, as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SB 795, 542 & 563, as amended** and has taken up and passed **HCS SS SCS SB 795, 542 & 563, as amended**.

THIRD READING OF SENATE BILL

SB 898, relating to revolving credit, was taken up by Representative Elliott.

Representative Harlan offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 898, page 1, section A, line 3, by inserting immediately after said line the following:

"364.120. 1. A premium finance company shall not charge, contract for, receive, or collect any interest or discount charge other than as permitted by sections 364.100 to 364.160.

2. The interest or discount is to be computed on the balance of the premiums due, after subtracting the down payment made by the insured in accordance with the premium finance agreement, from the effective date of the insurance contract, for which the premiums are being advanced, to and including the date when the final installment of the premium finance agreement is payable.

3. The interest or discount shall be a maximum of fifteen dollars per one hundred dollars per year, which shall be computed as a fifteen percent add-on interest rate, plus an additional service charge of ten dollars per premium finance agreement which need not be refunded on cancellation or prepayment; except that, if the insurance premiums being financed are for other than personal, family or household purposes, the parties to the premium finance agreement may agree to any rate of interest which shall be stated in the premium finance agreement. The interest or discount permitted by this subsection anticipates timely repayment in

consecutive monthly installments equal in amount for a period of one year. For repayment in greater or lesser periods or in unequal, irregular, or other than monthly installments, the interest or discount may be computed at an equivalent effective rate having due regard for the timely payments of installments.

4. Notwithstanding the provisions of any premium finance agreement, any insured may prepay the obligation in full at any time and shall receive a refund credit [, which shall represent at least as great a proportion of the interest or discount as the sum of the periodic balances, after the month in which prepayment is made, bears to the sum of all periodic balances under the schedule of installments in the agreement; except that, if the initial term of the contract is greater than sixty-one months, the interest earned shall be computed to the date of prepayment on the basis of the rate of interest originally contracted for computed on the actual unpaid principal balances for the time actually outstanding. Where the amount of the refund credit is less than one dollar, no refund need be made]. **The amount of the refund shall be calculated by the actuarial method of calculating refunds and no more interest shall be retained than is actually earned.**

365.140. Notwithstanding the provisions of any retail installment contract to the contrary any buyer may prepay in full, whether by payment in cash, extension or renewal, at any time before maturity the debt of any retail installment contract and on so paying the debt shall receive a refund credit thereon for the anticipation of payment. The amount of the refund shall [represent at least as great a proportion of the time price differential as the sum of the monthly time balances beginning one month after prepayment is made bears to the sum of all the monthly time balances under the schedule of payment in the contract after deducting from the refund an acquisition cost of fifteen dollars; except that, if the initial term of the contract is greater than sixty-one months, the amount of the time price differential earned shall be computed to the date of prepayment on the basis of the rate originally contracted for on the actual unpaid time balances for the time actually outstanding. Any insurance obviated by reason of prepayment shall be canceled by the holder and any refund of premiums received by the holder shall be treated in accordance with the provisions of subsection 2 of section 365.080. Where the amount of credit is less than one dollar no refund need be made] **be calculated by the actuarial method. The lender shall not retain more interest than actually earned whenever a retail installment contract is prepaid. Any insurance rendered unnecessary by reason of prepayment shall be cancelled by the holder and any refund of premiums received by the holder shall be treated in accordance with the provisions of subsection 2 of section 365.080**.

385.050. 1. Any insurer may revise its schedules of premium rates from time to time and shall file the revised schedules with the director. No insurer shall issue any credit life insurance policy or credit accident and sickness insurance policy for which the premium rate exceeds that determined by the schedules of the insurer as then approved by the director.

2. Each individual policy or group certificate shall provide that in the event of termination of the insurance prior to the scheduled maturity date of the indebtedness, any refund of an amount paid by the debtor for insurance shall be paid or credited promptly to the person entitled thereto; provided, however, that no refund of less than one dollar need be made. The formula to be used in computing the refund shall be the ["sum of the digits" formula with respect to decreasing term credit life insurance and credit accident and sickness insurance, and the pro rata unearned gross premium with respect to level term credit life insurance] **actuarial method of calculating refunds and no more interest shall be retained than is actually earned.**

3. If a creditor requires a debtor to make any payment for credit life insurance or credit accident and sickness insurance and an individual policy or group certificate of insurance is not issued, the creditor shall immediately give written notice to the debtor and shall promptly make an appropriate credit to the account.

4. The amount charged to a debtor for any credit life or credit accident and sickness insurance shall not exceed the premiums charged by the insurer, as computed at the time the charge to the debtor is determined.

5. Nothing in sections 385.010 to 385.080 shall be construed to authorize any payments for insurance now prohibited under any statute, or rule thereunder, governing credit transactions.

408.083. Notwithstanding any other provision of law to the contrary, all credit contracts with interest or time price differential calculated on an add-on basis entered into after August [13, 1988, with an initial term greater than sixty-one months] **28, 1996,** the proceeds of which are used for personal, family or household purposes, shall provide that the amount of interest or time price differential earned upon prepayment in full will be computed on the basis of the rate or rate formula originally contracted for on the actual unpaid principal balances for the time actually outstanding.

408.170. [1.] If a note or loan contract providing for amount of interest, added to the principal of the loan is prepaid in full (by cash, renewal, or refinancing) [one month or more before the final installment date, the lender shall either:

(1) Recompute the amount of interest earned to the date of prepayment in full on the basis of the rate of interest originally contracted for computed on the actual unpaid principal balances for the time actually outstanding; or

(2) If the initial term of the contract is sixty-one months or less, give a refund of a portion of the amount of interest originally contracted for which shall be computed as follows: The amount of the refund shall be at least

as great a proportion of such amount of interest as the sum of the full monthly balances of the contract scheduled to follow the installment date after the date of prepayment in full bears to the sum of all the monthly balances of the contract, both sums to be determined according to the payment schedule provided by the contract; except that, if prepayment in full occurs during the first installment period, interest shall be recomputed and charged only for the actual number of days elapsed. When the period before the first installment is more or less than one month, the portion of the interest earned for such period shall be determined by counting each day in such period as one-thirtieth of a month and one three hundred and sixtieth of a year.

2. No refund shall be required for any partial prepayment.

3. The word "refund" as used herein shall mean a credit or deduction from the amount of interest originally contracted for] **at any time, the buyer shall receive a refund which shall be calculated by the actuarial method. The lender shall not retain more interest than is actually earned whenever a note or loan contract is prepaid**."; and

Further amend said bill, page 3, section 408.300, line 60, by inserting immediately after said line the following:

"408.320. Notwithstanding the provisions of any retail time contract to the contrary, any buyer may prepay in full at any time before maturity the debt of any retail time contract and on so paying such debt shall receive a refund credit thereof for such anticipation of payments. The amount of such refund shall [represent at least as great a proportion of the time charge as the sum of the monthly time balances, beginning one month after prepayment is made, bears to the sum of all the monthly time balances under the schedule of payments in the contract after deducting from such refund an acquisition cost of twelve dollars; except that, if the initial term of the contract is greater than sixty-one months, the amount of time charge earned shall be computed to the date of prepayment on the basis of the rate originally contracted for computed on the actual unpaid time balances for the time actually outstanding. Any insurance obviated by reason of prepayment shall be canceled by the holder and any refund of premiums received by the holder shall be treated in accordance with the provisions of subsection 5 of section 408.280. Where the amount of credit is less than one dollar no refund need be made] **be calculated by the actuarial method. The lender shall not retain more interest than is actually earned whenever a retail time contract is prepaid**."; and

Further amend the title and enacting clause accordingly.

Representative Harlan moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 054

Auer	Backer	Barry 100	Bland	Boucher
Bray 84	Canuteson	Carter	Crum 112	Daniel 42
Daniels 41	Davis	Days	Edwards-Pavia	Farmer
Farnen	Fitzwater	Franklin	Garnett	Green
Gunn	Harlan	Hoppe	Hosmer	Kelly 27
Klumb	Kreider	Lakin	Lumpe	May 108
McBride	McLuckie	Morgan	Murray 69	O'Connor
Overschmidt	Pauley	Relford	Reynolds	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Skaggs
Smith	Stokan	Tate	Thompson 37	Treadway
Van Zandt	Wiggins	Williams 121	Witt	

NOES: 097

Alter	Ballard	Barnett 4	Bartelsmeyer	Bennett 15
Boatright	Bonner	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Donovan	Elliott	Enz
Evans	Fiebelman	Foley	Ford	Foster
Froelker	Gaskill	Gibbons	Goward	Graham
Gratz	Griesheimer	Gross	Hagan-Harrell	Hall
Hand	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Koller	Leake
Legan	Levin	Liese	Linton	Lograsso

Long	Loudon	Luetkenhaus	Marble	
Marshall 26				
Marshall 133	Mays 50	McClelland	Montgomery	Murphy
Murray 135	Naeger	Nordwald	O'Neill	
O'Toole				
Oetting	Ostmann	Pouche	Prost	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shelton 57	
Shields				
Sombart	Steen	Stoll	Summers	
Surface				
Thomason 163	Vogel	Wannenmacher	Whiteside	
Wieland				
Williams 159	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin	Crump 152	Dougherty	Hickey	Jacob
Ribaudo	Rizzo	Troupe	Ward	Mr.
Speaker				

VACANCY: 002

On motion of Representative Elliott, **SB 898** was truly agreed to and finally passed by the following vote:

Seventy-first Day-Thursday, May 9, 1996

AYES: 130

Akin	Alter	Auer	Ballard	
Barnett 4				
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Broach
Brown	Burton	Canuteson	Carter	
Champion				
Childers	Chrismer	Cierpiot	Clayton	Cooper
Crum 112	Daniel 42	Daniels 41	Davis	
Donovan				
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Foley	Ford	Foster
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	
Hartzler 123				
Heckemeyer	Hegeman	Hendrickson	Hohulin	Hoppe
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	
Kreider				
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	Mays 50	
McClelland				
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	
Overschmidt				
Pouche	Prost	Pryor	Relford	
Reynolds				
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Sheldon 104	Shelton 57	
Shields				
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	
Thomason 163				
Treadway	Troupe	Vogel	Wannenmacher	
Whiteside				
Wieland	Williams 121	Williams 159	Wooten	Mr.
Speaker				

NOES: 023

Backer	Bland	Bonner	Boucher	Bray
84				
Days	Fitzwater	Franklin	Harlan	
Hartzler 124				
Hosmer	Klumb	May 108	McBride	
McLuckie				
Morgan	O'Neill	Oetting	Shear 83	

Thompson 37				
Van Zandt	Wiggins	Witt		

PRESENT: 000

ABSENT WITH LEAVE: 008

Copeland	Crump 152	Dougherty	Hickey	Long
Pauley	Ribaudo	Ward		

VACANCY: 002

Representative Smith declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Morgan moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Daniels assumed the Chair.

BILL IN CONFERENCE

CCR #4 HCS SS SB 687, as amended, relating to special school district, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **CCR # 4 HCS SS SB 687, as amended,** was adopted by the following vote:

AYES: 130

Akin	Alter	Backer	Ballard	
Barnett 4				
Barry 100	Bartelsmeyer	Bennett 15	Bland	
Boatright				
Bray 84	Broach	Brown	Burton	
Canuteson				
Carter	Champion	Childers	Chrismer	
Cierpiot				
Cooper	Copeland	Crump 152	Daniel 42	
Daniels 41				
Days	Donovan	Elliott	Enz	Evans
Farmer	Fiebelman	Ford	Foster	
Froelker				
Garnett	Gaskill	Gibbons	Goward	Graham
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	
Hartzler 124				
Heckemeyer	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	
Kauffman				
Keeven	Kelley 47	Klumb	Koller	Lakin
Leake	Legan	Levin	Linton	
Lograsso				
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	Mays 50	McBride	
McClelland				
McLuckie	Montgomery	Morgan	Murphy	Murray 135
Naeger	Nordwald	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Pryor	
Relford				
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Secrest	Shear 83	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	
Wiggins				
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 023

Auer	Bonner	Clayton	Crum 112	Davis

Edwards-Pavia	Farnen	Fitzwater	Foley	Franklin
Gratz	Kissell	Kreider	Liese	May 108
Murray 69	O'Connor	O'Neill	O'Toole	Reynolds
Sheldon 104	Treadway	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 008

Boucher	Dougherty	Hickey	Kelly 27	Ribaudo
Sears 1	Thompson 37	Ward		

VACANCY: 002

On motion of Representative Lumpe, **CCS # 4 HCS SS SB 687** was truly agreed to and finally passed by the following vote:

AYES: 130

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crump 152	Daniel 42
Daniels 41	Days	Donovan	Elliott	Enz
Evans	Farmer	Fiebelman	Ford	Foster
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Klumb	Koller
Lakin	Leake	Legan	Levin	Linton
Long	Loudon	Lumpe	Marble	Marshall 26
Marshall 133	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murphy	Murray 135	Naeger
Nordwald	O'Connor	Oetting	Ostmann	Pauley
Pouche	Prost	Pryor	Relford	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Secrest
Shear 83	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 023

Auer	Bonner	Clayton	Crum 112	Davis
Edwards-Pavia	Farnen	Fitzwater	Foley	Franklin
Gratz	Kissell	Kreider	Liese	May 108
Murray 69	O'Neill	O'Toole	Reynolds	Sears 1
Sheldon 104	Treadway	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 008

Dougherty	Hickey	Kelly 27	Lograsso

Luetkenhaus				
Overschmidt	Ribaudo	Ward		

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 126

Akin	Alter	Backer	Ballard	
Barnett 4				
Barry 100	Bartelsmeyer	Bennett 15	Bland	
Boatright				
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	
Chrismer				
Cierpiot	Cooper	Copeland	Crump 152	Daniel
42				
Daniels 41	Days	Donovan	Elliott	Enz
Evans	Fiebelman	Ford	Foster	
Froelker				
Garnett	Gaskill	Gibbons	Goward	Graham
Green	Griesheimer	Gross	Gunn	Hagan-
Harrell				
Hall	Hand	Harlan	Hartzler 123	
Hartzler 124				
Heckemeyer	Hegeman	Hendrickson	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Klumb	Koller	Lakin
Leake	Levin	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	
Marshall 26				
Marshall 133	Mays 50	McBride	McClelland	
McLuckie				
Montgomery	Morgan	Murphy	Murray 135	
Nordwald				
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	
Ridgeway				
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Secrest	Shear 83	
Shelton 57				
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	
Thompson 37				
Troupe	Van Zandt	Vogel	Wannenmacher	
Whiteside				
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 024

Auer	Bonner	Clayton	Crum 112	Davis
Edwards-Pavia	Farnen	Foley	Franklin	Gratz
Hohulin	Kissell	Liese	May 108	Murray
69				
O'Connor	O'Neill	O'Toole	Reynolds	Sears
1				
Sheldon 104	Steen	Treadway	Wieland	

PRESENT: 001

Fitzwater

ABSENT WITH LEAVE: 010

Dougherty	Farmer	Hickey	Kreider	Legan
Naeger	Ribaudo	Scott	Shields	Ward

VACANCY: 002

On motion of Representative Morgan, title to the bill was agreed to.

Representative Montgomery moved that the vote by which the bill passed be reconsidered.

Representative McBride moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 905**, entitled:

An act to create chapter 617, RSMo, by enacting six new sections relating to the creation of a department of aging, with a contingent effective date.

With Senate Committee Amendment No. 1, Senate Amendment No. 1, and Senate Amendment No. 2.

Senate Committee Amendment No. 1

Amend House Bill No. 905, Page 1, Section 617.001, Line 7 by striking "617.007" and inserting in lieu thereof the following: "**617.009**"; and

Further amend said bill and section, page 2, line 13, by inserting immediately after "RSMo." the following: "**All terms and conditions of employment in and employees of the division of aging shall be applicable to employment in and employees of the department of aging.**"; and

Further amend said bill, page 2, section 617.007, line 4, by striking the word "people" and inserting in lieu thereof the words "**full-time employees**".

Seventy-first Day-Thursday, May 9, 1996

Senate Amendment No. 1

Amend House Bill No. 905, Page 2, Section 617.001, Line 13 by inserting immediately after "RSMo." the following: "**Appropriations for the department of aging shall be determined in the same appropriations bill as the department of social services.**"; and

Further amend said bill, page 2, section 617.007, lines 4-5, by striking all of said lines after "people."; and

Further amend said section, line 8, by striking the following words "not be considered in the total staff"; and inserting in lieu thereof, the following: " **be appropriate additions to the staff**"; and further amend line 8, by striking the word "people" and inserting in lieu of the following: "**full-time employees. Full-time employees approved by fiscal note prior to August 28, 1996, are appropriate additions to the staff number limit of seven hundred and twenty-five full-time employees.**".

Senate Amendment No. 2

Amend House Bill No. 905, Page 1, Section Title, Lines 2-3 by striking all of said lines and inserting in lieu thereof, the following: "To repeal sections 197.305 and 344.030, RSMo 1994, relating to the care of the elderly, and to enact in lieu thereof nine new sections relating to the same subject, with a contingent effective date for certain sections."; and

Further amend said bill, page 1, Section A, lines 1-2, by striking all of said lines and inserting in lieu thereof the following:

"Section A. Sections 197.305 and 344.030, RSMo 1994, and section 197.316, RSMo Supp. 1995, are repealed and nine new sections enacted in lieu thereof, to be known as sections 197.305, 197.316, 344.030, 617.001, 617.002, 617.003, 617.005, 617.007 and 617.009, to read as follows:

197.305. As used in sections 197.300 to 197.365, the following terms mean:

(1) "Affected persons", the person proposing the development of a new health care service, the public to be served, the health systems agency and health care facilities within the service area in which the proposed new health care service is to be developed;

(2) "Agency", the state health planning and development agency of the Missouri department of health;

(3) "Capital expenditure", an expenditure by or on behalf of a health care facility which, under generally accepted accounting principles, is not properly chargeable as an expense ofity which, operation and maintenance;

(4) "Certificate of need", a written certificate issued by the committee setting forth the committee's affirmative finding that a proposed project sufficiently satisfies the criteria prescribed for such projects by sections 197.300 to 197.365;

(5) "Develop", to undertake those activities which on their completion will result in the offering of a new

institutional health service or the incurring of a financial obligation in relation to the offering of such a service;

(6) "Expenditure minimum", six hundred thousand dollars in the case of capital expenditures, or four hundred thousand dollars in the case of major medical equipment and new institutional health services as described in subdivision (11), paragraphs (a), (b), (c), (d), (e), (f), and (g), unless such sum exceeds federal regulations;

(7) "Health care facilities", hospitals, health maintenance organizations, tuberculosis hospitals, psychiatric hospitals, professional nursing facilities, practical nursing facilities, residential care facilities I and II, kidney disease treatment centers, including free standing hemodialysis units, and ambulatory surgical facilities, but excluding the private offices of physicians, dentists and other practitioners of the healing arts, and Christian Science sanatoriums [operated or]**, also known as Christian Science Nursing facilities listed and** certified by [the First Church of Christ, Scientist, Boston, Massachusetts,] **the Commission for Accreditation of Christian Science Nursing Organization/Facilities, Inc.,** and facilities of not for profit corporations in existence on October 1, 1980, subject either to the provisions and regulations of section 302 of the Labor-Management Relations Act, 29 U.S.C. 186 or the Labor-Management Reporting and Disclosure Act, 29 U.S.C. 401-538, and any residential care facility I or residential care facility II [operated by a religious organization qualified under section 501(c)(3) of the federal Internal Revenue Code, as amended,] which does not require the expenditure of public funds for purchase or operation[, with a total licensed bed capacity of one hundred beds or fewer];

(8) "Health service area", a geographic region appropriate for the effective planning and development of health services, determined on the basis of factors including population and the availability of resources, consisting of a population of not less than five hundred thousand or more than three million;

(9) "Health systems agency", a regional health planning agency established pursuant to PL 93-641 and, after December 31, 1981, in accordance with section 1512(b)(1)(B) thereof;

(10) "Major medical equipment", medical equipment used for the provision of medical and other health services;

(11) "New institutional health service":

(a) The development of a new health care facility;

(b) The acquisition, including acquisition by lease, of any health care facility, or major

medical equipment costing in excess of the expenditure minimum;

(c) Any capital expenditure by or on behalf of a health care facility in excess of the expenditure minimum;

(d) Predevelopment activities as defined in subdivision (14) hereof costing in excess of one hundred fifty thousand dollars;

(e) Any change in licensed bed capacity of a health care facility which increases the total number of beds by more than ten or more than ten percent of total bed capacity, whichever is less, over a two-year period;

(f) Health services, excluding home health services, which are offered in a health care facility and which were not offered on a regular basis in such health care facility within the twelve-month period prior to the time such services would be offered;

(g) A reallocation by an existing health care facility of licensed beds among major types of service or reallocation of licensed beds from one physical facility or site to another by more than ten beds or more than ten percent of total licensed bed capacity, whichever is less, over a two-year period;

(12) "Nonsubstantive projects", projects which do not involve the addition, replacement, modernization or conversion of beds or the provision of a new health service but which include a capital expenditure which exceeds the expenditure minimum and are due to an act of God or a normal consequence of maintaining health care services, facility or equipment;

(13) "Person", any individual, trust, estate, partnership, corporation, including associations and joint stock companies, state or political subdivision or instrumentality thereof, including a municipal corporation;

(14) "Predevelopment activities", expenditures for architectural designs, plans, working drawings and specifications, and any arrangement or commitment made for financing; but excluding submission of an application for a certificate of need.

344.030. 1. An applicant for an initial license shall file a completed application with the board on a form provided by the board, accompanied by an application fee of one hundred dollars payable to the director of revenue. Information provided in the application shall be given under oath subject to the penalties for making a false affidavit.

2. No initial license shall be issued to a person as a nursing home administrator unless:

(1) The applicant provides the board satisfactory proof that [he] **the applicant** is twenty-one years of age or over, of good moral character and a high school graduate or equivalent;

(2) The applicant provides the board satisfactory proof that [he] **the applicant** has had a minimum of three years' experience in health care administration or two years of postsecondary education in health care administration or has satisfactorily completed a course of instruction and training prescribed by the board, which includes instruction in the needs properly to be served by nursing homes, the protection of the interests of residents therein, and the elements of good nursing home administration, or has presented evidence satisfactory to the board of sufficient education, training, or experience in the foregoing fields to administer, supervise and manage a nursing home; and

(3) The applicant passes the written examination administered by the board. If an applicant fails to make a passing grade on the examination [he] **the applicant** may make application for reexamination on a form furnished by the board and may be retested at the next regularly scheduled examination. If an applicant fails the examination a third time, [he] **the applicant** shall be required to complete a course of instruction prescribed and approved by the board before [he] **the applicant** may reapply for examination. There shall be a separate, nonrefundable fee for each examination. The board shall set the amount of the fee for examination by rules and regulations promulgated pursuant to section 536.021, RSMo. The fee shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering the examination.

3. The board may issue a license through reciprocity to any person who is regularly licensed as a nursing home administrator in any other state, territory, or the District of Columbia, if the regulations for securing such license are equivalent to those required in the state of Missouri. However, no license by reciprocity shall be issued until the applicant passes a special examination approved by the board, which will examine the applicant's knowledge of specific provisions of Missouri statutes and regulations pertaining to nursing homes. The applicant shall furnish satisfactory evidence that [he] **such applicant** is of good moral character and has acted in the capacity of a nursing home administrator in such state, territory, or the District of Columbia, at least one year after the securing of the license. The board, in its discretion, may enter into written reciprocal agreements pursuant to this section with other states which have equivalent laws and regulations.

4. Nothing in sections 344.010 to 344.100, or the rules or regulations thereunder shall be construed to require an applicant for a license as a nursing home administrator, who is [certified by a recognized church or religious denomination which teaches reliance on spiritual means alone for healing, as having been approved] **employed by an institution listed and certified by the Commission for Accreditation of Christian Science Nursing Organizations/Facilities, Inc.** to administer institutions certified by such [church or denomination] **commission** for the care and treatment of the sick in accordance with [its teachings] **the creeds or tenets of a recognized church or religious denomination**, to demonstrate proficiency in any techniques or to meet any educational qualifications or standards not in accord with the remedial care and treatment provided in such institutions. [His] **The applicant's** license shall be endorsed to confine [his] **the applicant's** practice to such institutions.

5. The board may issue a temporary emergency license for a period not to exceed ninety days to a person twenty-one years of age or over, of good moral character and a high school graduate or equivalent to serve as an acting nursing home administrator, provided [he] **such person** is replacing a licensed nursing home administrator who has died, has been removed or has vacated [his] **the nursing home administrator's** position. No temporary emergency license may be issued to a person who has had a nursing home administrator's license denied, suspended or revoked. A temporary emergency license may be renewed for one additional ninety-day period upon a showing that the person seeking the renewal of a temporary emergency license meets the qualifications for licensure and has filed an application for a regular license, accompanied by the application fee, and the examination has not yet been given. No temporary emergency license may be renewed more than one time."; and

Further amend said bill, page 2, Section B, line 1, by striking the word "This" and inserting in lieu thereof the following: "Sections 617.001, 617.002, 617.003, 617.005, 617.007 and 617.009 of this".

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SAs 1, 2, 3 & 4 to HCS HB 781** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HB 832, as amended**: Senators DePasco, McKenna, Staples, Treppler and Bentley.

The Speaker resumed the Chair

THIRD READING OF SENATE BILLS

HCS SB 664, relating to real estate/insurance, was taken up by Representative Hartzler (123).

Representative Hartzler (123) offered **HS HCS SB 664.**

Representative Klumb raised a point of order that **HS HCS SB 664** goes beyond the scope of the original bill.

The Chair ruled the point of order well taken.

Representative Klumb raised a point of order that **HCS SB 664** goes beyond the scope of the original bill.

The Chair ruled the point of order well taken.

SB 664 was laid over.

HCS SS SB 560, relating to removal of abandoned property, was taken up by Representative May (108).

Representative May (108) offered **HS HCS SS SB 560**.

Representative May (108) offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, Page 43, Section 304.156, Lines 2 through 3 from the top of said page, by deleting all of said lines and inserting in lieu thereof the following: "**section.**"; and

Further amend said bill, Page 44, Section 304.156, Line 22 from the top of said page, by deleting the following: "**receipt; and**" and inserting in lieu thereof the following: "**receipt.**"; and

Further amend said bill, Page 45, Section 304.156, Lines 1 through 3 from the top of said page, by deleting all of said lines.

On motion of Representative May (108), House Amendment No. 1 was adopted.

Representative May (108) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, page 49, section 304.157, line 11, by inserting after the word "officer" the following:

"pursuant to subdivision 1 of subsection 2 of this section".

On motion of Representative May (108), House Amendment No. 2 was adopted.

Representative O'Toole offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, Page 29, Section 304.155, Line 1 from the top of said page, by inserting immediately after the words "this section" the following: "**or by ordinance of a county or municipality licensing and regulating the sale of abandoned property by the municipality**".

On motion of Representative O'Toole, House Amendment No. 3 was adopted.

Representative Luetkenhaus offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, page 57, section 304.158, line 13, by striking the "period" after "property" and inserting a "comma" and the following: "except where the tow and impoundment of the abandoned property was the result of an arrest or accident whereby the towing company or storage facility may then demand payment in the form of cash."

On motion of Representative Luetkenhaus, House Amendment No. 4 was adopted by the following vote:

AYES: 100

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bonner	Broach
Brown	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Daniels 41
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Fitzwater	Foley	Ford	Foster	Franklin
Gaskill	Gibbons	Graham	Gratz	Griesheimer
Gross	Gunn	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Kauffman	Keeven

Kelley 47	Kissell	Kreider	Lakin	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus 50	Marble	Marshall 26	Marshall 133	Mays
McClelland O'Connor	Murray 135	Naeger	Nordwald	
Oetting	Ostmann	Overschmidt	Prost	Pryor
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee 1	Schilling	Schwab	Scott	Sears
Secrest	Shields	Skaggs	Sombart	Steen
Stokan	Summers	Surface	Thomason 163	Troupe
Wannenmacher	Wieland	Williams 121	Witt	Wooten

NOES: 049

Auer	Barry 100	Bland	Boucher	Bray 84
Carter	Clayton	Crum 112	Crump 152	Daniel 42
Davis	Days	Farmer	Farnen	Fiebelman
Garnett	Green	Hagan-Harrell	Heckemeyer	Hosmer
Jacob	Kelly 27	Klumb	Koller	Leake
Legan	May 108	McBride	McLuckie	Montgomery
Morgan	Murphy	Murray 69	O'Toole	Pauley
Relford	Reynolds	Scheve	Shear 83	Sheldon 104
Smith	Stoll	Tate	Thompson 37	Treadway
Van Zandt	Wiggins	Williams 159	Mr. Speaker	

PRESENT: 001

Goward

ABSENT WITH LEAVE: 011

Dougherty	Froelker	Hickey	Lumpe	O'Neill
Pouche	Ribaudo	Shelton 57	Vogel	Ward

Whiteside

VACANCY: 002

HCS SB 560, with HS, as amended, pending, was laid over.

CONFERENCE COMMITTEE REPORT
ON HOUSE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 676

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Bill No. 676, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 676;

2. That the attached Conference Committee Amendment No. 1 to Senate Bill No. 676 be adopted;

3. That Senate Bill No. 676 with Conference Committee Amendment No. 1 be truly agreed and finally passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Phil Smith	/s/ Ed Quick
/s/ Jim Sears	/s/ Irene Treppler
/s/ Joe Clay Crum	/s/ Ronnie DePasco

/s/ Marvin Singleton

/s/ Harold Caskey

Conference Committee Amendment No. 1

AMEND Senate Bill No. 676, Page 1, Section 96.196, Line 1, by inserting after the number "96.196." the number

"**1.**"; and

Further amend said bill, Page 1, Section 96.196, Line 8, by inserting after all of said line the following:

"**2. If a hospital organized pursuant to this chapter accepts appropriated funds from the city during the twelve months immediately preceding the date that the hospital purchases, operates or leases it first related facility outside the city boundaries or engages in its first health care activity outside the city boundaries, the governing body of the city shall approve the hospital's plan for such purchase, operation or lease prior to implementation of the plan.**"; and

Further amend said bill, Page 8, Section 206.157, Line 42, by deleting the word "**court**" and inserting in lieu thereof the words "**county commission**".

CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 811, AS AMENDED

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Bill No. 811, as amended, begs leave to report that we after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 811;

2. That the Senate recede from its position on House Bill No. 811, with Senate Amendment No. 1, Senate Substitute Amendment No. 1 for Senate Amendment No. 3, Senate Substitute Amendment No. 1, for Senate Amendment No. 4, and Senate Amendment No. 5 for House Bill No. 811;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Phil Smith	/s/ Joe Moseley
/s/ Glenda Kelly	/s/ J. B. Banks
/s/ Cindy Ostmann	/s/ Betty Sims
/s/ Patrick Naeger	/s/ Harry Wiggins
/s/ Scott Lakin	/s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT #2 ON
HOUSE BILL NO. 1010

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1010, and the Conference Committee Substitute #2 for House Bill No. 1010, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sheila Lumpe	/s/ Mike Lybyer
/s/ Scott Lakin	/s/ Harry Wiggins
/s/ Paula Carter	/s/ Wayne Goode
Laurie Donovan	/s/ Emory Melton
/s/ Charlie Shields	/s/ John T. Russell

BILL IN CONFERENCE

CCR # 2 SCS HCS HB 1010, relating to appropriations, was taken up by Representative Carter.

Representative Carter moved that the Senate grant the House a further conference on **SCS HCS HB 1010.**

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SS SB 560, as amended, relating to removal of abandoned property, was again taken up by Representative May (108).

Representative Koller offered House Amendment No. 5.

Representative May (108) raised a point of order that House Amendment No. 5 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Koller offered House Amendment No. 5.

House Amendment No. 5 was withdrawn.

Representative Smith resumed the Chair.

Representative Kissell offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, page 25, section 304.155, line 22, by striking "twenty-four" and inserting "ten" and furthermore on page 26, line 6, by striking "twenty-four" and inserting "ten"

Representative Kissell moved that House Amendment No. 5 be adopted.

Which motion was defeated.

Representative Crump (152) offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, Page 1, In the Title, Line 2, by inserting after the number "301.344," the number "301.566,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the words "the towing of"; and

Further amend said bill, Page 1, In the title, Line 4, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Section A, Line 1, by inserting after the number "301.344," the number "301.566,"; and

Further amend said bill, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "301.344," the number "301.566,"; and

Further amend said bill, Page 7, Section 301.344, Line 6, by inserting after all of said line the following:

"301.566. **1.** A motor vehicle dealer may participate in any motor vehicle show or sale, and conduct sales of motor vehicles thereat, away from [his] **the dealer's** usual, licensed place of business if the event is conducted for not more than ten days, and if a majority of the motor vehicle dealers within a class of dealers described pursuant to subsection 3 of section 301.550 in a city or town participate in the event, except that a recreational motor vehicle dealer classified in subdivision (5) of subsection 3 of section 301.550 may participate in such a show or sale even if a majority of recreational motor vehicle dealers in a city or town do not participate in the event. The commission shall consider such events to be proper in all respects and as if each dealer participant was conducting business at [his] **the dealer's** usual business location.

2. A recreational vehicle dealer, as that term is defined in section 700.010, RSMo, who is licensed in another state may participate in recreational vehicle shows or exhibits with recreational vehicles within this state, in which less than fifty dealers participate as exhibitors with permission of the dealer's licensed manufacturer if all of the following conditions exist:

(1) The show or exhibition has a minimum of ten recreational vehicle dealers licensed as motor vehicle dealers in this state;

(2) More than fifty percent of the participating recreational vehicle dealers are licensed motor vehicle dealers in this state; and

(3) The state in which the recreational vehicle is licensed is a state contiguous to Missouri and the state permits recreational vehicle dealers licensed in Missouri to participate in recreational vehicle shows in such state pursuant to conditions substantially equivalent to the conditions which are imposed on dealers from such state who participate in recreational vehicle shows in Missouri.

3. A recreational vehicle dealer licensed in another state may participate in a vehicle show or exhibition in Missouri which has, when it opens to the public, at least fifty dealers displaying recreational vehicles if the show or exhibition is trade-oriented and is predominantly funded by recreational vehicle manufacturers. All of the participating dealers who are not licensed in Missouri shall be licensed as recreational vehicle dealers by the state of their residence.".

Representative May (108) raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Crump (152), House Amendment No. 6 was adopted.

Representative Thompson (37) offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill 560, page 20, section 301.344, line 5, by inserting after the word "or" the following: "of any city with a population of 350,000 inhabitants or more and which is located in more than one county or"

Representative Thompson (37) moved that House Amendment No. 7 be adopted.

Which motion was defeated.

Representative Ostmann offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, page 41, section 340.156, line 2, by striking the word "or" and insert the word "and"

On motion of Representative Ostmann, House Amendment No. 8 was adopted.

Representative Auer offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, Page 1, In the Title, Line 2, by inserting after the number "301.344,"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 1, By inserting after the number "301.344," the number "301.566,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "eight" and inserting in lieu thereof the word "nine"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the number "301.344," the number "301.566,"; and

Further amend said bill, Page 7, Section 301.344, Line 6, by inserting after all of said line the following:

"301.566. **1.** A motor vehicle dealer may participate in any motor vehicle show or sale[,] and conduct sales of motor vehicles [thereat,] away from [his] **the dealer's** usual, licensed place of business if **either the requirements of subsection 2 of this section are met or** the event is conducted for not more than ten days, and if a majority of the motor vehicle dealers within a class of dealers described pursuant to subsection 3 of section 301.550 in a city or town participate **or are invited and have the opportunity to participate** in the event, except that a recreational motor vehicle dealer classified in subdivision (5) of subsection 3 of section 301.550 may participate in such a show or sale even if a majority of recreational motor vehicle dealers in a city or town do not participate in the event. The commission shall consider such events to be proper in all respects and as if each dealer participant was conducting business at [his] **the dealer's** usual business location.

2. Any person, partnership, corporation or association disposing of vehicles used and titled solely in its ordinary course of business as provided in section 301.570 may sell such vehicles away from that person's bona fide established place of business, thus constituting an off-site sale, by adhering to each of the following conditions with regard to each and every off-site sale conducted:

(1) Have in effect a valid license, pursuant to sections 301.550 to 301.575, from the Missouri motor vehicle commission for the sale of used motor vehicles;

(2) No off-site sale may exceed ten days in duration, and only one sale may be held per year, per county, in counties of the third and fourth classification;

(3) Pay to the motor vehicle commission fund, pursuant to section 301.560, a permit fee of two hundred fifty dollars for each off-site sale event;

(4) Advise the Missouri motor vehicle commission, at least ten days prior to the sale, of the date, location and duration of each off-site sale;

(5) The sale of vehicles at off-site sales shall be limited to sales by a seller of vehicles used and titled solely in its ordinary course of business, and such sales shall be held in conjunction with a credit union and limited to members of the credit union, thus constituting a private sale to be advertised to members only;

(6) Off-site sales by a seller of vehicles used and titled solely in its ordinary course of business may also be held in conjunction with other financial institutions provided that any such sale event shall be held on the premises of the financial institution, and sales shall be limited to persons who were customers of the financial institution prior to the date of the sale event. Off-site sales held with such other financial institutions shall be limited to one sale per year per institution;

(7) The sale of motor vehicles which have the designation of the current model year, except discontinued models, is prohibited at off-site sales until subsequent model year designated vehicles of the same manufacture and model are offered for sale to the public.

On motion of Representative Auer, House Amendment No. 9 was adopted.

Representative Nordwald offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, page 20, section 304.001, line 10, by inserting after the word "any" the word "**unattended**"; and

On motion of Representative Nordwald, House Amendment No. 10 was adopted.

Representative Hohulin offered House Admendment No. 11.

Representative May (108) raised a point of order that House Amendment No. 11 is not germane to the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Pro Tem Daniels resumed the Chair.

Representative Barnett offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, page 31, section 304.155, line 6, by inserting immediately after said line the following:

"7. The Department of Revenue may design and make available to police agencies throughout the state a uniform "Authorization to Tow" form. The form shall contain lines for time, date, location, descriptive information of the vehicle, reason for towing, the tow operator and company and signature of authorizing officer. Cost of the forms will be determined by Department of Revenue. The completed form shall be issued by the authorizing officer to the tow operator for that company's records as proof of authorization to tow a particular vehicle."; and

Further renumber accordingly.;

Further amend said bill, page 48, section 304.157, line 16, by inserting after said line the following:

"The Department of Revenue may design and make available to police agencies throughout the state a uniform "Authorization to Tow" form. The form shall contain lines for time, date, location, descriptive information of the vehicle, reason for towing, the tow operator and company and signature of authorizing officer. Cost of the forms will be determined by the Department of Revenue. The completed form shall be issued by the authorizing officer to the tow operator for that company's records as proof of authorization to tow a particular vehicle.";

On motion of Representative Barnett, House Amendment No. 11 was adopted.

Representative Montgomery offered House Amendment No. 12.

House Amendment No. 12 was withdrawn.

Representative May (108) offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill 560, page 35, section 304.155, line 15, by inserting immediately after said line the following:

"11. If a lienholder repossesses any motor vehicle, trailer, all-terrain vehicle, outboard motor or vessel by having such property towed, then the towing company and the lienholder shall notify the Missouri state highway patrol of such tow within one hour of the tow being made and shall further provide the patrol with any additional information the patrol deems appropriate.".

On motion of Representative May (108), House Amendment No. 12 was adopted.

Representative Hartzler (124) offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, Page 49, Section 304.157, Subsection 3, line 3 by inserting immediately after line 3, the following:

"The Dept. of Revenue may design & sell to towing companies informational brochures outlining owner or leasees of real property obligations pursuant to this section."

On motion of Representative Hartzler (124), House Amendment No. 13 was adopted.

On motion of Representative May (108) **HS HCS SS SB 560, as amended**, was adopted.

On motion of Representative May (108), **HS HCS SS SB 560, as amended,** was read the third time and passed by the following vote:

AYES: 106

Auer	Backer	Barnett 4	Barry 100	Bennett 15
Bonner	Boucher	Bray 84	Burton	Canuteson
Carter	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Edwards-Pavia	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Froelker
Garnett	Goward	Graham	Gratz	Green
Griesheimer	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson
Hoppe	Hosmer	Jacob	Kauffman	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Montgomery
Morgan	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Ostmann	Overschmidt	Pauley
Prost	Relford	Reynolds	Ross	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Skaggs
Smith	Stokan	Stoll	Summers	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 045

Akin	Alter	Ballard	Bartelsmeyer	Bland
Boatright	Broach	Brown	Champion	Childers
Chrismer	Cierpiot	Daniel 42	Elliott	Evans
Foster	Gaskill	Gibbons	Gross	Hegeman
Hohulin	Howerton	Kasten	Kelley 47	Linton
Lograsso	Marble	Marshall 133	Murphy	Oetting
Pouche	Pryor	Richardson	Ridgeway	Rizzo
Robirds	Sallee	Schwab	Secrest	Shields
Sombart	Steen	Surface	Thompson 37	Whiteside

PRESENT: 000

ABSENT WITH LEAVE: 010

Dougherty	Hickey	Keeven	O'Neill	
Ribaudo				
Scheve	Scott	Tate	Troupe	Ward

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Jacob moved that motion lay on the table.

The latter motion prevailed.

SUPPLEMENTAL CALENDAR

May 9, 1996

SENATE BILLS FOR THIRD READING

HCS SS SCS SB 869, (Budget Fiscal 5-9-96) - Witt

SCS SB 719, HCA 1, (Budget Fiscal 5-9-96) - Lakin

SB 661 - McBride

SB 876, HCA 1 - Bray

SB 787 - Montgomery

SB 500 - Lumpe

HCS SB 634 - Smith

SB 805 - Bland

BILL IN CONFERENCE

CCR # 2 SCS HCS HB 1010, relating to appropriations, was taken up by Representative Carter.

Representative Carter moved that the Senate grant the House a further conference on **SCS HCS HB 1010** and that conferees be allowed to exceed the differences.

Which motion was adopted.

THIRD READING OF SENATE BILL

HCS SB 888, relating to sales/use tax, was taken up by Representative Jacob.

Representative Jacob offered **HS HCS SB 888**.

Representative Jacob offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, Pages 23, 24 & 25, Sections 1 & 2, by deleting all of said sections.

On motion of Representative Jacob, House Amendment No. 1 was adopted.

Representative Jacob offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 14, section 144.030, line 11 by inserting after the word "plant" the following: "**but shall not include motor vehicles used on highways. For the purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning ascribed to them in section 301.010, RSMo.**".

On motion of Representative Jacob, House Amendment No. 2 was adopted.

Representative Gibbons offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 9, section 144.025, line 15, by inserting immediately before the word "allowance" on said line the word "actual".

On motion of Representative Gibbons, House Amendment No. 3 was adopted.

Representative Witt offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, by adding to the end of said substitute the following:

"144.070. 1. At the time the owner of any new or used motor vehicle, trailer, boat, or outboard motor which was acquired in a transaction subject to sales tax under the Missouri sales tax law makes application to the director of revenue for an official certificate of title and the registration of the automobile, trailer, boat, or outboard motor as otherwise provided by law, [he] **such owner** shall present to the director of revenue evidence satisfactory to the director of revenue showing the purchase price exclusive of any charge incident to the extension of credit paid by or charged to the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, or that no sales tax was incurred in its acquisition, and if sales tax was incurred in its acquisition, the applicant shall pay or cause to be paid to the director of revenue the sales tax provided by the Missouri sales tax law in addition to the registration fees now or hereafter required according to law, and the director of revenue shall not issue a certificate of title for any new or used motor vehicle, trailer, boat, or outboard motor subject to sales tax as provided in the Missouri sales tax law until the tax levied for the sale of the same under sections 144.010 to 144.510 has been paid as herein provided or is registered under the provisions of subsection 5 of this section.

2. As used above, the term "purchase price" shall mean the total amount of the contract price agreed upon between the seller and the applicant in the acquisition of the motor vehicle, trailer, boat, or outboard motor, regardless of the medium of payment therefor.

3. In the event that the purchase price is unknown or undisclosed, or that the evidence thereof is not satisfactory to the director of revenue, the same shall be fixed by appraisement by the director.

4. The director of the department of revenue shall endorse upon the official certificate of title issued by him upon such application an entry showing that such sales tax has been paid or that the vehicle, trailer, boat, or outboard motor represented by such certificate is exempt from sales tax and state the ground for such exemption.

5. Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors, which are to be used exclusively for rental or lease purposes, and not for resale, may apply to the director of revenue for authority to operate as a leasing company. Any company approved by the director of revenue may pay the tax due on any motor vehicle, trailer, boat, or outboard motor as required in section 144.020 at the time of registration thereof or in lieu thereof may pay a sales tax as provided in sections 144.010, 144.020, 144.070 and 144.440. A sales tax shall be charged to and paid by a leasing company which does not exercise the option of paying in accordance with section 144.020, on the amount charged for each rental or lease agreement while the motor vehicle, trailer, boat, or outboard motor is domiciled in this state. Any motor vehicle, boat, or outboard motor which is leased as the result of a contract executed in this state shall be presumed to be domiciled in this state.

6. Any corporation may have one or more of its divisions separately apply to the director of revenue for authorization to operate as a leasing company, provided that the corporation:

(1) Has filed a written consent with the director authorizing any of its divisions to apply for such authority;

(2) Is authorized to do business in Missouri;

(3) [Has agreed to treat any sale of a motor vehicle, trailer, boat, or outboard motor from one of its divisions to another of its divisions as a sale at retail within the meaning of subdivision (9) of subsection 1 of section 144.010;

(4)] Has registered under the fictitious name provisions of sections 417.200 to 417.230, RSMo, each of its divisions doing business in Missouri as a leasing company; and

[(5)] (**4**) Operates each of its divisions on a basis separate from each of its other divisions.

7. If the owner of any motor vehicle, trailer, boat, or outboard motor desires to charge and collect sales tax as provided hereinabove, [he] **such owner** shall make application to the director of revenue for a permit to operate as a motor vehicle, trailer, boat, or outboard motor leasing company. The director of revenue shall promulgate rules and regulations determining the qualifications of such a company, and the method of collection and reporting of sales tax charged and collected. Such regulations shall apply only to owners of motor vehicles, trailers, boats, or outboard motors, electing to qualify as motor vehicle, trailer, boat, or outboard motor leasing companies under the provisions of subsection 5 of this section, and no motor vehicle renting or leasing, trailer renting or leasing, or boat or outboard motor renting or leasing company can come under sections 144.010, 144.020, 144.070 and 144.440 unless all vehicles, trailers, boats, and outboard motors

held for renting and leasing are included.".

Further amend the title and enacting clause accordingly.

On motion of Representative Witt, House Amendment No. 4 was adopted.

Representative Schilling offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, Page 1, In the Title, Line 2, by inserting after the word "sections" the following: "94.705, 94.745,"; and

Further amend said bill, Page 1, In the Title, Line 5, by deleting the word "six" and inserting in lieu thereof the following: "eight"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the following: "94.705, 94.745,"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "six" and inserting in lieu thereof the following: "eight"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after the word "sections" the following: "94.705, 94.745,"; and

Further amend said bill, Page 1, Section A, Line 4, by inserting after all of said line the following:

"94.705. 1. Any city may by a majority vote of its governing body impose a sales tax for transportation purposes enumerated in sections 94.700 to 94.755, [but no such] **and issue bonds for transportation purposes which shall be retired by the revenues received from the sales tax authorized by this section. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law. No** ordinance **imposing a sales tax pursuant to the provisions of this section** shall become effective unless the council or other governing body submits to the voters of the city, at a city or state general, primary, or special election, a proposal to authorize the council or other governing body of the city to impose such a sales tax **and, if such tax is to be used to retire bonds authorized pursuant to this section, to authorize such bonds and their retirement by such tax**; except that no vote shall be required in any city that imposed and collected such tax under sections 94.600 to 94.655, before January 5, 1984. The ballot of the submission shall contain, but is not limited to, the following language:

(1) If the proposal submitted involves only authorization to impose the tax authorized by this section, the following language:

Shall the city of ..... (city's name) impose a sales tax of ..... (insert amount) for transportation purposes?

[ ] Yes [ ] No

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No"[.]**;**

(2) If the proposal submitted involves authorization to issue bonds and repay such bonds with revenues from the tax authorized by this section, the following language:

Shall the city of ..... (city's name) issue bonds in the amount of ..... (insert amount) for transportation purposes and impose a sales tax of ..... (insert amount) to repay such bonds?

[ ] YES [ ] NO

If you are in favor of the question place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal**, provided in subdivision (1) of this subsection,** by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. **If the four-sevenths majority of the votes, as required by the Missouri Constitution, article VI, section 26, cast on the proposal, provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect.** If a majority of the votes cast **on the proposal, as provided in subdivision (1) of this subsection,** by the qualified voters voting are opposed to the proposal, then the council or other governing body of the city shall have no power to impose the tax [herein] authorized **in subdivision (1) of this subsection** unless and until the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to impose the tax and such proposal is approved by a majority of the qualified voters voting thereon. **If more than three-sevenths of the votes cast by the qualified voters voting are opposed to the proposal, as provided in subdivision (2) of this subsection to issue bonds and impose a sales tax to retire such bonds, then the council or other governing body of the city shall have no power to issue any bonds or to impose the tax authorized in subdivision (2) of this subsection unless and until**

the council or other governing body of the city submits another proposal to authorize the council or other governing body of the city to issue such bonds or impose the tax to retire such bonds and such proposal is approved by four-sevenths of the qualified voters voting thereon.

2. No incorporated municipality located wholly or partially within any first class county operating under a charter form of government and having a population of over nine hundred thousand inhabitants shall impose such a sales tax for that part of the city, town or village that is located within such first class county, in the event such a first class county imposes a sales tax under the provisions of sections 94.600 to 94.655.

3. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo.

4. If the boundaries of a city in which such sales tax has been imposed shall thereafter be changed or altered, the city clerk shall forward to the director of revenue by United States registered mail or certified mail a certified copy of the ordinance adding or detaching territory from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and map, the tax imposed by sections 94.700 to 94.755 shall be effective in the added territory or abolished in the detached territory on the effective date of the change of the city boundary.

5. No tax imposed pursuant to this section for the purpose of retiring bonds issued pursuant to this section may be terminated until all of such bonds have been retired.

94.745. 1. All moneys received by a city imposing a sales tax under the provisions of sections 94.700 to 94.755 shall be deposited by the city treasurer, or other city officer authorized by ordinance, in a special fund to be known as the "City Transportation Trust Fund". All moneys in such transportation trust fund shall be appropriated and disbursed only for transportation purposes as enumerated in sections 94.700 to 94.755. **The provisions of this subsection shall apply only to taxes authorized by sections 94.700 to 94.755 which have not been imposed to retire bonds issued pursuant to sections 94.700 to 94.755.**

2. All moneys received by a city which issues bonds pursuant to the provisions of section 94.705 and imposes the tax authorized by such section to retire such bonds shall be deposited in a special trust fund and shall be used solely to retire such bonds, except to the extent that such funds are required for the operation and maintenance of the capital improvements made with the proceeds of the bonds. Once all of such bonds have been retired, all funds remaining in the special trust fund required by this subsection shall be used solely for transportation purposes. Any funds in the special trust fund required by this subsection which are not needed to meet current obligations under the bonds issued pursuant to section 94.705 may be invested by the governing body in accordance with applicable laws relating to the investment of other municipal funds. The provisions of this subsection shall apply only to taxes authorized by section 94.705 which have been imposed to retire bonds issued pursuant to such section.

[2.] **3.** Any portion or all of the funds on deposit in a transportation trust fund may be appropriated and paid by a city directly to an interstate transportation authority, a city transit authority or a city utilities board for its general purposes in providing a public mass transportation system within an interstate transportation district or a municipality; provided that, before such funds may be appropriated and paid to any such interstate transportation authority, city transit authority or city utilities board with a service area population in excess of two million persons, such authority or board shall develop, for mutual agreement, a program of transit service to be provided to the city. Such program shall define the service to be provided, the fare structure to be in effect, the estimated cost of the total transit service program of the authority or board, and the estimated cost of the city's portion of the program. Such agreement shall be renewed prior to the beginning of each fiscal year and, when such agreement is reached, the city shall appropriate to the authority or board funds as are designated in the agreement for the period of the agreement. A city may designate by contract with an interstate transportation authority, a city transit authority or a city utilities board that a designated portion of such funds shall be used by the interstate transportation authority, the city transit authority or the city utilities board to provide specific service or frequency of service to underwrite a certain fare structure, or for any other purposes consistent with providing a sound public mass transportation system.

[3.] **4.** Any provisions of sections 94.700 to 94.755 to the contrary notwithstanding, at least seven percent of the proceeds of any sales tax imposed under sections 94.700 to 94.755 that are appropriated and paid by a city to an interstate transportation authority, a city transit authority or a city utilities board shall be expended only for the purchase of new public mass transportation equipment, for the construction of public mass transportation facilities, or for any other capital expenditures or improvements to the property of the interstate transportation authority, city transit authority or city utilities board used in providing public mass transportation service, or to pay the interest or principal payments, or to satisfy sinking fund requirements on any negotiable notes or bonds or other instruments in writing issued for any of the above purposes.

[4.] **5.** Any provisions of sections 94.700 to 94.755 to the contrary notwithstanding, at least seven percent of the proceeds of any sales tax imposed under sections 94.700 to 94.755 that are appropriated and expended by a city for its general purposes in providing a public mass transportation system directly owned and operated by it shall be expended only for the purpose of new public mass transportation equipment, for the construction of

public mass transportation facilities, or for any other capital expenditures or improvements to its properties used in providing public mass transportation service, or to pay the interest or principal payments, or to satisfy the sinking fund requirements on any negotiable notes or bonds or other instruments in writing issued for any of the above purposes.

[5.] **6.** No funds may be appropriated and paid to any such transportation authority, transit authority or utilities board, unless and until such authority or board shall file or shall have filed with the city paying such funds, and the secretary of state of the state of Missouri, annually and within six months after the close of such authority or board's fiscal year, an independently audited report and accounting as to such authority or board's management and administration of any and all funds received and expended by such authority or board.

[6.] **7.** Transportation authorities operating a public mass transportation system under sections 94.700 to 94.755 shall provide for interior and exterior advertising on each vehicle for mass transportation purposes.".

On motion of Representative Schilling, House Amendment No. 5 was adopted.

Representative Brown offered House Amendment No. 6.

House Amendment No. 6 was withdrawn.

Representative Scott offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 10, section 144.025, line 8, by striking out the words "ninety days" and inserting in lieu thereof the words "**one year**"; and

Further amend said bill, page 10, section 144.025, line 14, by striking out the words "ninety days" and inserting in lieu thereof the words "**one year**"; and

Further amend said bill, page 10, section 144.025, line 18, by striking out the word "ninety- day" and inserting in lieu thereof the words "**one year**".

On motion of Representative Scott, House Amendment No. 6 was adopted.

Representative Brown offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 23, section 144.030, line 19, by inserting after the word "**competition**" the following:

"(32) All membership fees or annual dues paid to any not-for-profit athletic association"

On motion of Representative Brown, House Amendment No. 7 was adopted.

Representative Tate offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, Page 1, In the Title, Lines 2 through 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 144.025, RSMo 1994, and sections 135.352, 144.010, 144.011 and 144.030, RSMo Supp. 1995, relating to taxes, and to enact in lieu thereof eight new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "sections" the following: "135.352,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "seven" and inserting in lieu thereof the following: "eight"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting all of said line and inserting in lieu thereof the following: "sections 135.352, 144.010, 144.011, 144.025, 144.030, 1, 2 and 3, to read as follows:

135.352. 1. A taxpayer owning an interest in a qualified Missouri project shall be allowed a state tax credit, whether or not allowed a federal tax credit, to be termed the Missouri low-income housing tax credit, if the commission issues an eligibility statement for that project.

2. The Missouri low-income housing tax credit available to a project shall be calculated by multiplying an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal tax period, by twenty percent and such amount shall be subtracted from the amount of state tax otherwise due for the same tax period.

3. The Missouri low-income housing tax credit shall be taken against the taxes and in the order specified under section 32.115, RSMo. The credit authorized by this section shall not be refundable. Any amount of credit that

exceeds the tax due for a taxable year may be carried back to any of the three prior taxable years or carried forward to any of the five subsequent taxable years.

4. Notwithstanding the provisions of subsection 2 of this section, for qualified Missouri projects that are located in counties identified by the state of Missouri as eligible for disaster relief as a result of the flood of 1993, or in counties immediately adjoining such counties, and for which federal low-income housing tax credits are allocated in the year of 1994, 1995 [or]**,** 1996, **1997, 1998, 1999 or 2000,** or for such longer period as is required to implement the Missouri comprehensive housing affordability strategy developed pursuant to section 105 of the Cranston-Gonzalez National Affordable Housing Act for such counties, the Missouri low-income housing tax credit available to such project shall be calculated by multiplying an amount equal to the federal low-income housing tax credit for a qualified Missouri project, for a federal tax period, by forty percent.

5. All or any portion of Missouri tax credits issued in accordance with the provisions of sections 135.350 to 135.362 may be allocated to parties who are eligible under the provisions of subsection 1 of this section. Beginning January 1, 1995, for qualified projects which began on or after January 1, 1994, an owner of a qualified Missouri project shall certify to the director the amount of credit allocated to each taxpayer. The owner of the project shall provide to the director appropriate information so that the low-income housing tax credit can be properly allocated.

6. In the event that recapture of Missouri low-income housing tax credits is required pursuant to subsection 2 of section 135.355, any statement submitted to the director as provided in this section shall include the proportion of the state credit required to be recaptured, the identity of each taxpayer subject to the recapture and the amount of credit previously allocated to such taxpayer.

7. The director of the department may promulgate rules and regulations necessary to administer the provisions of this section. No rule or portion of a rule promulgated under the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

On motion of Representative Tate, House Amendment No. 8 was adopted.

Representative Hartzler (124) offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 10, section 144.030, line 123, by inserting after the word "crops," the words **"all sales of oil and grease used solely for agricultural purposes**".

On motion of Representative Hartzler (124), House Amendment No. 9 was adopted.

Representative Marble offered House Amendment No. 10.

House Amendment No. 10 was withdrawn.

Representative Klumb offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 25, section 144.030, line 19, by inserting after said line the following:

"144.062. 1. With respect to exempt sales at retail of tangible personal property and materials for the purpose of constructing, repairing or remodeling facilities for: (1) a county, other political subdivision or instrumentality thereof exempt from taxation under subdivision (10) of section 39 of article III of the Constitution of Missouri; or (2) an organization sales to which are exempt from taxation under the provisions of subdivision (19) of subsection 2 of section 144.030; or (3) any institution of higher education supported by public funds or any private not for profit institution of higher education, exempt from taxation under subdivision (20) of subsection 2 of section 144.030; or (4) any private not for profit elementary or secondary school exempt from taxation under subdivision (22) of subsection 2 of section 144.030, hereinafter collectively referred to as exempt entities, such exemptions shall be allowed for such purchases if the purchases are related to the entities' exempt functions and activities. In addition, the sales shall not be rendered nonexempt nor shall any material supplier or contractor**, architect or engineer** be obligated to pay, collect or remit sales tax with respect to such purchases made by or on behalf of an exempt entity due to such purchases being billed to or paid for by a contractor**, architect or engineer** or the exempt entity contracting with any entity to render any services in relation to such purchases, including but not limited to selection of materials, ordering, pickup, delivery, approval on delivery, taking of delivery, transportation, storage, assumption of risk of loss to materials or providing warranties on materials as specified by contract, use of materials or other purchases for construction of the building or other facility, providing labor, management services, administrative services, design or technical services or advice to the exempt entity, whether or not the contractor**, architect or engineer** or other entity exercises dominion or control in any other manner over the materials in conjunction with services or labor provided to the exempt entity.

2. When any exempt entity contracts for the purpose of constructing, repairing or remodeling facilities, and

purchases of tangible personal property and materials to be incorporated into or consumed in the construction of the project are to be made on a tax-exempt basis, such entity shall furnish to the contractor**, architect or engineer** an exemption certificate authorizing such purchases for the construction, repair or remodeling project. The form and content of such project exemption certificate shall be approved by the director of revenue. The project exemption certificate shall include but not be limited to:

(1) The exempt entity's name, address, Missouri tax identification number and signature of authorized representative;

(2) The project location, description, and unique identification number;

(3) The date the contract is entered into, which is the earliest date materials may be purchased for the project on a tax-exempt basis;

(4) The estimated project completion date; and

(5) The certificate expiration date.

Such certificate is renewable for a given project at the option of the exempt entity, only for the purpose of revising the certificate expiration date as necessary to complete the project.

3. The contractor**, architect or engineer** shall furnish the certificate prescribed in subsection 2 of this section to all subcontractors, and any contractor**, architect or engineer** purchasing materials shall present such certificate to all material suppliers as authorization to purchase, on behalf of the exempt entity, all tangible personal property and materials to be incorporated into or consumed in the construction of that project and no other on a tax-exempt basis. Such suppliers shall execute to the purchasing contractor**, architect or engineer** invoices bearing the name of the exempt entity and the project identification number. Nothing in this section shall be deemed to exempt the purchase of any construction machinery, equipment or tools used in constructing, repairing or remodeling facilities for the exempt entity. All invoices for all personal property and materials purchased under a project exemption certificate shall be retained by the purchasing contractor**, architect or engineer** for a period of five years and shall be subject to audit by the director of revenue.

4. Any excess resalable tangible personal property or materials which were purchased for the project by a contractor**, architect or engineer** under a project exemption certificate but which were not incorporated into or consumed in the construction of the project shall either be returned to the supplier for credit or the appropriate sales or use tax on such excess property or materials shall be reported on a return and paid by such contractor**, architect or engineer** not later than the due date of the contractor's**, architect's or engineer's** Missouri sales or use tax return following the month in which it was determined that the materials were not to be used in the project.

5. No contractor**, architect or engineer** or material supplier shall, upon audit, be required to pay tax on tangible personal property and materials incorporated into or consumed in the construction of the project, due to the failure of the exempt entity to revise the certificate expiration date as necessary to complete any work required by the contract. If it is determined that tax is owed on such property and materials due to the failure of the exempt entity to revise such certificate expiration date, the exempt entity shall be liable for the tax owed.

429.015. 1. Every registered architect or corporation registered to practice architecture, every registered professional engineer or corporation registered to practice professional engineering, every registered landscape architect or corporation registered to practice landscape architecture, **every nurseryman,** and every registered land surveyor or corporation registered to practice land surveying, who does any landscape architectural, architectural, engineering or land surveying work upon or performs any landscape architectural, architectural, engineering or land surveying service directly connected with the erection or repair of any building or other improvement upon land under or by virtue of any contract with the owner or proprietor thereof, or [his] **such owner's or proprietor's** agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of this chapter, shall have for [his] **such person's** landscape architectural, architectural, engineering or land surveying work or service so done or performed, a lien upon the building or other improvements and upon the land belonging to the owner or proprietor on which the building or improvements are situated, to the extent of one acre. If the building or other improvement is upon any lot of land in any town, city or village, then the lien shall be upon such building or other improvements, and the lot or land upon which the building or other improvements are situated, to secure the payment for the landscape architectural, architectural, engineering or land surveying work or service so done or performed. For purposes of this section, a corporation engaged in the practice of architecture, engineering, landscape architecture, or land surveying, shall be deemed to be registered if the corporation itself is registered under the laws of this state to practice architecture, engineering or land surveying, or if any officer thereof, who owns more than fifty percent of the capital common stock of such corporation, is registered under the laws of this state as an architect, engineer, landscape architect, or land surveyor, and such registration of the corporation shall be effective as of the original date of registration of such principal stockholder.

2. Every mechanic or other person who shall do or perform any work or labor upon or furnish any material or machinery for the digging of a well to obtain water under or by virtue of any contract with the owner or proprietor thereof, or [his] **such owner's or proprietor's** agent, trustee, contractor or subcontractor, upon complying with the provisions of sections 429.010 to 429.340 shall have for [his] **such person's** work or labor done, or materials or machinery furnished, a lien upon the land belonging to such owner or proprietor on which the same are situated, to the extent of one acre, to secure the payment of such work or labor done, or materials or machinery furnished as aforesaid.

3. Every mechanic or other person who shall do or perform any work or labor upon, or furnish any material, fixtures, engine, boiler or machinery, for the purpose of demolishing or razing a building or structure under or by virtue of any contract with the owner or proprietor thereof, or [his] **such owner's or proprietor's** agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of sections 429.010 to 429.340, shall have for [his] **such person's** work or labor done, or materials, fixtures, engine, boiler or machinery furnished, a lien upon the land belonging to such owner or proprietor on which the same are situated, to the extent of one acre. If the building or buildings to be demolished or razed are upon any lot of land in any town, city or village, then the lien shall be upon the lot or lots or land upon which the building or other improvements are situated, to secure the payment for the labor and materials performed.

4. The provisions of sections 429.030 to 429.060 and sections 429.080 to 429.430 applicable to liens of mechanics and other persons shall apply to and govern the procedure with respect to the liens provided for in subsections 1, 2 and 3 of this section.

5. Any design professional or corporation authorized to have lien rights under subsection 1 of this section shall have a lien upon the building or other improvement and upon the land, whether or not actual construction of the planned work or improvement has commenced if:

(1) The owner or proprietor thereof, or such owner's or proprietor's agent or trustee contracted for such professional services directly with the design professional or corporation asserting the lien;

(2) The owner or proprietor is the owner or proprietor of such real property either at the time the contract is made or at the time the lien is filed; and

(3) The design professional or corporation files with the recorder of deeds in the county where the property is located a notice of intent to lien listing the name and address of the claimant, the name and address of the person with whom the claimant contracted, the amount owed, the address or legal description, if known, of the property, and the last date of services performed by the claimant's last work on the property. The recorder of deeds may charge a fee of one dollar for each notice filed and recorded pursuant to this subdivision. The notice described in this subdivision shall not be required if actual construction of improvements begins within three months from the date the claimant completed the claimant's work on the property.

6. If such property is purchased by a bona fide purchaser before a notice of intent to lien is recorded, the purchaser may take the property free of any such lien unless construction commences within six months of the design professional's last work related to improvement of the property.

7. Priority between such lien claimant and any other mechanic's lien claimant shall be determined pursuant to the provisions of section 429.260 on a pro rata basis."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Klumb, House Amendment No. 10 was adopted.

Representative Hartzler (124) offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 10, section 144.025, line 21, by inserting after said line the following:

As used in this section, the term "motor vehicle" includes motor vehicles as defined in section 301.010, RSMo, recreational vehicles as defined in section 700.010, RSMo, or a combination of a truck as defined in section 301.010, RSMo, and a trailer as defined in section 301.010, RSMo.; and

Further amend said bill by renumbering the remainder of section 144.025.

On motion of Representative Hartzler (124), House Amendment No. 11 was adopted.

Representative Marble offered House Amendment No. 12.

House Amendment No. 12

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 19, section 144.030, line

14, by inserting after the word "tractors" the following: ", post hole diggers,"

On motion of Representative Marble, House Amendment No. 12 was adopted by the following vote.

AYES: 128

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Griesheimer	Gross	Gunn	Hall	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
Mays 50	McBride	McLuckie	Montgomery	Morgan
Naeger	Nordwald	O'Connor	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Thomason 163	Troupe	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 022

Auer	Bland	Bray 84	Carter	Days
Farmer	Franklin	Green	Hagan-Harrell	Hand
Kauffman	Lumpe	McClelland	Murphy	Murray 69
Murray 135	O'Toole	Schilling	Shear 83	Shelton 57
Treadway	Van Zandt			

PRESENT: 000

ABSENT WITH LEAVE: 011

Dougherty	Hickey	Keeven	May 108	O'Neill
Ribaudo	Shields	Tate	Thompson 37	Ward

Witt

VACANCY: 002

Representative Legan offered House Amendment No. 13.

House Amendment No. 13

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 12, section 144.030, line 9, by deleting the words "to be sold"; and

Further amend said bill line 13, by deleting the words "ultimately" in processed form or otherwise at retail"

On motion of Representative Legan, House Amendment No. 13 was adopted.

Representative Wiggins offered House Amendment No. 14.

House Amendment No. 14 was withdrawn.

Representative Ballard offered House Amendment No. 14.

House Amendment No. 14

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 19, section 144.030, line 8, by inserting after the word "crops," the following: "**single purpose agricultural structures and structure materials**".

Representative Gibbons offered House Amendment No. 15.

Representative Ballard moved that House Amendment No. 14 be adopted.

Which motion was defeated.

House Amendment No. 15

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, Page 13, Section 144.030, Line 19 by placing an open bracket "[" before the word "replaced"; and

Further amend said bill, Page 13, Section 144.030, Line 20 by placing a closing bracket "]" before the word "purchased".

On motion of Representative Gibbons, House Amendment No. 15 was adopted.

Representative Williams (159) offered House Amendment No. 16.

House Amendment No. 16

Amend House Substitute for House Committee Substitute for Senate Bill No. 888, Page 25, Section 2, Line 6, by inserting after said line the following:

"476.405. 1. Within the limits of any appropriation made for this purpose, the salary fixed by sections 211.381, 211.393, 477.130, 478.013, 478.018, 483.083, **483.163,** and 485.060, RSMo, may be adjusted in any one year by a salary adjustment. The salary adjustment shall not exceed the salary adjustment for the executive department contained in the pay plan applicable to other state employees at a similar salary level for that fiscal year. If no salary adjustment or a lower salary adjustment is granted pursuant to this section than is granted the executive department in any year, then the salary adjustment granted pursuant to this section in the next fiscal year may exceed the salary adjustment of the executive department by the amount of the difference in the prior year.

2. The amount of a salary adjustment to be approved pursuant to this section shall be stated in a separate line item of the appropriation bill. A salary adjustment approved pursuant to this section shall be added to the statutory salary and the sum of these amounts shall be the statutory salary of the office for all purposes. This statutory salary shall be included in the appropriation bill in the same manner as any other personal service appropriation involving a statutory salary.

3. The office of administration shall maintain a compensation schedule for each fiscal year indicating the highest statutory salary paid for each office specified in sections 211.381, 211.393, 477.130, 478.013, 478.018, 483.083, **483.163,** and 485.060, RSMo, and the salary adjustment contained in the pay plan applicable to other state employees generally. The schedule shall be open for public inspection and shall be annually included in the Missouri Register and an appendix to the Revised Statutes of Missouri. For each office for which a salary adjustment is approved pursuant to this section, the revisor of statutes shall place a revisor's note following each section providing compensation for the office referencing the reader to the compensation index.

483.163. 1. Each circuit clerk, except the circuit clerk in any city not within a county, shall cooperate with the prosecuting attorney and division of child support enforcement in the investigation and documentation of possible criminal nonsupport under section 568.040, RSMo, which involves any case or cases for which the clerk is trustee.

2. Other provisions of law to the contrary notwithstanding, for the performance of duties prescribed in subsection 1 of this section, each circuit clerk, except the circuit clerk in any city not within a county, in addition to any other compensation provided by law, shall receive five thousand dollars per year beginning January 1, 1997. Such compensation shall be payable in equal installments in the same manner and at the same time as other compensation is paid to the circuit clerk.

3. For every year beginning July 1, 1998, the amount of compensation established in subsection 2 of this section shall be adjusted by any salary adjustment authorized under section 476.405, RSMo.

4. If monies are not sufficient to pay the increased compensation as provided in this section, revenues from applicable local sales taxes may be used."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Marshall (133) raised a point of order that House Amendment No. 16 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Sears (1) offered House Substitute Amendment No. 1 for House Amendment No. 16.

House Substitute Amendment No. 1
for

House Amendment No. 16

Amend House Substitute for House Committee Substitute for Senate Bill No. 888, Page 25, Section 2, Line 6, by inserting after said line the following:

"476.405. 1. Within the limits of any appropriation made for this purpose, the salary fixed by sections 211.381, 211.393, 477.130, 478.013, 478.018, 483.083, **483.163,** and 485.060, RSMo, may be adjusted in any one year by a salary adjustment. The salary adjustment shall not exceed the salary adjustment for the executive department contained in the pay plan applicable to other state employees at a similar salary level for that fiscal year. If no salary adjustment or a lower salary adjustment is granted pursuant to this section than is granted the executive department in any year, then the salary adjustment granted pursuant to this section in the next fiscal year may exceed the salary adjustment of the executive department by the amount of the difference in the prior year.

2. The amount of a salary adjustment to be approved pursuant to this section shall be stated in a separate line item of the appropriation bill. A salary adjustment approved pursuant to this section shall be added to the statutory salary and the sum of these amounts shall be the statutory salary of the office for all purposes. This statutory salary shall be included in the appropriation bill in the same manner as any other personal service appropriation involving a statutory salary.

3. The office of administration shall maintain a compensation schedule for each fiscal year indicating the highest statutory salary paid for each office specified in sections 211.381, 211.393, 477.130, 478.013, 478.018, 483.083, **483.163,** and 485.060, RSMo, and the salary adjustment contained in the pay plan applicable to other state employees generally. The schedule shall be open for public inspection and shall be annually included in the Missouri Register and an appendix to the Revised Statutes of Missouri. For each office for which a salary adjustment is approved pursuant to this section, the revisor of statutes shall place a revisor's note following each section providing compensation for the office referencing the reader to the compensation index.

483.163. 1. Each circuit clerk, except the circuit clerk in any city not within a county, shall cooperate with the prosecuting attorney and division of child support enforcement in the investigation and documentation of possible criminal nonsupport under section 568.040, RSMo, which involves any case or cases for which the clerk is trustee.

2. Other provisions of law to the contrary notwithstanding, for the performance of duties prescribed in subsection 1 of this section, each circuit clerk, except the circuit clerk in any city not within a county, in addition to any other compensation provided by law, shall receive five thousand dollars per year beginning January 1, 1997. Such compensation shall be payable in equal installments in the same manner and at the same time as other compensation is paid to the circuit clerk.

3. For every year beginning July 1, 1998, the amount of compensation established in subsection 2 of this section shall be adjusted by any salary adjustment authorized under section 476.405, RSMo.

4. If monies are not sufficient to pay the increased compensation as provided in this section, revenues from applicable local sales taxes may be used."; and

Section 1. 1. As used in this section, the term "court personnel" includes all personnel of allstate courts and all divisions of the courts, including juvenile, family and municipal division, and clerks, deputy clerks, division clerks, official court reporters, law clerks and court administrators, but no including judges.

2. There is hereby established in the state treasury the "State Courts Administration Revolving Fund". Any money received by or on behalf of the state courts administrator from registration fees, grants or any other source in connection with the training and education of court personnel provided pursuant to this section shall be deposited into the fund.

3. The state treasurer shall administer the fund and shall disburse moneys from the fund to the state courts administrator pursuant to appropriations in order to provide training and education of court personnel.

4. Any unexpended balance remaining in the fund at the end of each biennium shall be exempt from the provisions of section 33.080, RSMo, relating to the transfer of unexpended balances to the general revenue fund, until the amount in the state courts administration revolving fund exceeds the greater of either one-half of the expenditures form the fund during the previous year, or fifty thousand dollars."; and

Further amend title and enacting clause accordingly.

Representative Froelker raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 16 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Sears (1) moved that House Substitute Amendment No. 1 for House Amendment No. 16 be adopted.

Which motion was defeated.

HCS SB 888, with HS, as amended, and House Amendment No. 16, pending, was laid over.

COMMITTEE REPORTS

Committee on Banks and Financial Institutions, Chairman Copeland reporting:

Mr. Speaker: Your Committee on Banks and Financial Institutions, to which was referred **SB 836**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Civil and Criminal Law, Chairman Hosmer reporting:

Mr. Speaker: Your Committee on Civil and Criminal Law, to which was referred **SCS SB 514**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Commerce, Chairman Rizzo reporting:

Mr. Speaker: Your Committee on Commerce, to which was referred **SCS SB 524**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 524, Page 1, In The Title, Line 4, by inserting immediately after the word "subject" the following: ",with an emergency clause for a certain section"; and

Further amend said bill, Page 2, Section 317.001, Line 36, by inserting immediately after the "**(2)**" the following: "**"Combative fighting", also known as "toughman fighting", "toughwoman fighting", "badman fighting", "ultimate fighting", "U.F.C." and "extreme fighting", any boxing or wrestling match, contest or exhibition, between two or more contestants, with or without protective headgear, who use their hands, with or without gloves, or their feet, or both, and who compete for a financial prize or any item of pecuniary value, and which match, contest, tournament championship or exhibition is not recognized by and not sanctioned by any officially recognized state, regional or national boxing or athletic sanctioning authority, or any promoter duly licensed by the department of economic development;**

(3) "; and

Further amend said bill, Page 2, Section 317.001, Line 39, by deleting the figure "**(3)**" and inserting in lieu thereof the following: "**(4)**"; and

Further amend said bill, Page 2, Section 317.001, Line 41, by deleting the figure "**(4)**" and inserting in lieu thereof the following: "**(5)**"; and

Further amend said bill, Page 2, Section 317.001, Line 42, by deleting the figure "**(5)**" and inserting in lieu thereof the following: "**(6)**"; and

Further amend said bill, Page 2, Section 317.001, Line 44, by deleting the figure "**(6)**" and inserting in lieu thereof the following: "**(7)**"; and

Further amend said bill, Page 3, Section 317.001, Line 46, by deleting the figure "**(7)**" and inserting in lieu thereof the following: "**(8)**"; and

Further amend said bill, Page 3, Section 317.001, Line 48, by deleting the figure "**(8)**" and inserting in lieu thereof the following: "**(9)**"; and

Further amend said bill, Page 3, Section 317.001, Line 50, by deleting the figure "**(9)**" and inserting in lieu thereof the following: "**(10)**"; and

Further amend said bill, Page 3, Section 317.001, Line 52, by deleting the figure "**(10)**" and inserting in lieu thereof the following: "**(11)**"; and

Further amend said bill, Page 3, Section 317.001, Line 54, by deleting the figure "**(11)**" and inserting in lieu thereof the following: "**(12)**"; and

Further amend said bill, Page 3, Section 317.001, Line 60, by deleting the figure "**(12)**" and inserting in lieu thereof the following: "**(13)**"; and

Further amend said bill, Page 3, Section 317.001, Line 65, by deleting the figure "**(13)**" and inserting in lieu thereof the following: "**(14)**"; and

Further amend said bill, Page 3, Section 317.001, Line 72, by deleting the figure "**(14)**" and inserting in lieu thereof the following: "**(15)**"; and

Further amend said bill, Page 3, Section 317.001, Line 73, by deleting the figure "**(15)**" and inserting in lieu thereof the following: "**(16)**"; and

Further amend said bill, Page 5, Section 317.006, Line 72, by deleting the word "**ultimate**" and inserting in lieu thereof the word "**combative**"; and

Further amend said bill, Page 7, Section 317.012, Lines 1 to 10, by deleting all of said lines; and

Further amend said bill, Page 10, Section 317.015, Line 64, by inserting after all of said line the following:

"Section B. Chapter 317, RSMo, is amended by adding thereto one new section, to be knowne" and
as section 317.018, to read as follows:

317.018. 1. Combative fighting is prohibited in the state of Missouri.

2. Anyone who promotes or participates in combative fighting, or anyone who serves as an agent, principal partner, publicist, vendor, producer, referee, or contractor of or for combative fighting is guilty of a class D felony.

3. Any medical personnel who administers to, treats or assists any participants of combative fighting shall not be subject to the provisions of this section.

4. Nothing in section 317.001 or this section shall be construed to give authority to the Missouri state athletic commission to regulate boxing, sparring, wrestling or contact karate conducted by entities which are not regulated on the effective date of this section, including but not limited to events conducted by the:

(1) Military;

(2) Private schools;

(3) Church schools;

(4) Home schools;

(5) Martial arts academies;

(6) Private gyms;

(7) YWCA and YMCA;

(8) Elementary and secondary schools;

(9) College and university inter- and intra-mural;

(10) Fraternal organizations;

(11) Camps, conducted by church or not for profit organizations;

(12) Olympic committees; or

(13) Correctional facilities.

5. Nothing in section 317.001 or this section is intended to regulate, or interfere with or make illegal, traditional, sanctioned boxing, including professional, amateur, scholastic, championship boxing, amateur wrestling or scholastic wrestling.

Section C. Because immediate action is necessary to ensure the health and safety of certain athletes, section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section B of this act shall be in full force and effect upon its passage and approval.".

Committee on Correctional and State Institutions, Chairman Crump (152) reporting:

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 489**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Correctional and State Institutions, to which was referred **SB 781**, begs leave to report it has examined the same and recommends that it **Do Pass with House Committee Amendment No. 1.**

House Committee Amendment No. 1

AMEND Senate Bill No. 781, Page 3, Section 221.105, Line 47, by inserting after the word "**cents**" the following: "**, but not less than the amount appropriated in the previous fiscal year,**".

REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

SCS SB 719 - Budget (Fiscal Note)

HCS SS SCS SB 869 - Budget (Fiscal Note)

CONFERENCE COMMITTEE REPORT
FOR HOUSE SUBSTITUTE
FOR HOUSE BILL NO. 832

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Bill No. 832, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Bill No. 832;

2. That the Senate recede from its position on House Substitute for House Bill No. 832, with Senate Amendments Nos. 1 and 2;

3. That the attached Conference Committee Substitute for House Substitute for House Bill No. 832 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Jim Montgomery	/s/ Ronnie DePasco
/s/ Jim Pauley	/s/ Bill McKenna
/s/ Bill Luetkenhaus	/s/ Danny Staples
/s/ Mark Richardson	/s/ Irene Treppler
/s/ Ed Hartzler	/s/ Roseann Bentley

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 1301 and 1298**, entitled:

To repeal sections 162.680, 195.214, 574.085, 575.090, 575.093, 575.096, RSMo 1994, and sections 160.261, 167.161 and 167.171, RSMo Supp. 1995, and to enact in lieu thereof nineteen new sections for the purpose of providing safer schools, with penalty provisions.

With Senate Amendment Nos. 1, 2, 3, 4, 5, 6, Senate Substitute Amendment No. 1 for Senate Amendment No. 7, Senate Amendment Nos. 11, 12, 13, 14, 15, 16, 17, Senate Substitute Amendment No. 1 for Senate Amendment No. 19, Senate Amendment Nos. 20, 21, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 35, 36 and 37.

Senate Amendment No. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 14, Section 574.085, Lines 15-16 by striking the following: "or operated by a school district or a private school or under lease or" and inserting in lieu thereof the following: "**, operated, leased or under**".

Senate Amendment No. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1301 and 1298 Page 10, Section 167.020, Line 75 by inserting immediately after the word "district" the following:

"**or juvenile or family court**".

Senate Amendment No. 3

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1301 and 1298 Page 15, Section 1, Line 4-5 by striking the following: "an indictment or information is filed or"; and

Further amend said section, page 16, line 30, by striking "prior to the return of the pupil to school" and inserting in lieu thereof the following: "**no later than five days following the filing of the petition**"; and further amend lines 31-32 by striking ", prior to the return of the pupil to school" from said lines.

Senate Amendment No. 4

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1301 and 1298 Page 21, Section 7, Line 6 by inserting immediately after the word "act" the following: "**unless the petition regarding the act was dismissed or the pupil has been acquitted or adjudicated not to have committed the act**".

Senate Amendment No. 5

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 22, Section 9, Line 34, by inserting immediately after said line the following:

"**Section 10. Each school board in the state, if the school district does not presently have a program as described below, shall vote every two years whether to develop and implement a program to train the students of the district in the administration of cardiopulmonary resuscitation and other lifesaving methods. The board may develop and implement the program as they determine best, and may consult the department of public safety, the state fire marshall's office, the local fire protection authorities, and others as the board sees fit. The board may make completion of the program a requirement for graduation.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1301 and 1298 Page 13, Section 167.171, Line 78-81 by deleting all of said lines and inserting in lieu thereof the following:

"**4. If a pupil is attempting to enroll in a school district during a suspension or expulsion from another school district, a conference with the superintendent or the superintendent's designee may be held at the request of the parent, court appointed legal guardian, someone acting as a parent as defined by rule in the case of a special education student, or the pupil to consider if the conduct of the pupil would have resulted in a suspension or expulsion in the district in which the pupil is enrolling. Upon a determination by the superintendent or the superintendent's designee that such conduct would have resulted in a suspension or expulsion in the district in which the pupil is enrolling or attempting to enroll, the school district may make such suspension or expulsion from another district effective in the district in which the pupil is enrolling or attempting to enroll. Upon a determination by the superintendent or the superintendent's designee that such conduct would not have resulted in a suspension or expulsion in the district in which the student is enrolling or attempting to enroll, the school district shall not make such suspension or expulsion effective in its district in which the student is enrolling or attempting to enroll.**".

Senate Substitute Amendment No. 1
for
Senate Amendment No. 7

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 10, Section 167.020, Lines 81 and 82, by deleting the following: "attorney fees, litigation costs and".

Senate Amendment No. 11

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 13, Section 167.171, Lines 82-89 by striking all of said lines.

Senate Amendment No. 12

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 20, section 6, line 29, by striking the semicolon ";" on said line and inserting in lieu thereof a period "**.**"; and

Further amend said section, lines 30-37, by striking all of said lines.

House Amendment No. 13

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1301 and 1298 Page 13, Section 167.171, Line 63 by striking all of said line immediately after "(c)"; and

Further amend said section, line 64, by striking the "(d)" and relettering accordingly; and

Further amend said section, line 68, by striking all of said line and relettering accordingly; and

Further amend said section, line 70, by striking "; or" and inserting in lieu thereof a period "**.**"; and

Further amend said section, line 71, by striking all of said line.

Senate Amendment No. 14

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 7, Section 162.680, Line 16, by inserting immediately after said line the following:

"**Section 1. 1. Any board of education of any school district may permit the self- administration of medication**

administered by way of a metered-dose inhaler by a pupil for asthma or other potentially life-threatening respiratory illnesses provided that:

(1) The parents or guardians of the pupil provide to the board of education written authorization for the self-administration of medication and a written medical history of the pupil's experience with the potentially life-threatening respiratory illness and a plan of action for addressing any emergency situations that could reasonably be anticipated as a consequence of administering the medication and having the potentially life-threatening respiratory illness;

(2) The parents or guardians of the pupil provide to the board of education written certification from the physician of the pupil that the pupil has asthma or another potentially life-threatening respiratory illness and is capable of, and has been instructed in, the proper method of self-administration of medication and informed of the dangers of permitting other persons to use medicine prescribed for the pupil;

(3) The board informs the parents or guardians of the pupil in writing that the district and its employees or agents shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil or as a result of providing all relevant information provided pursuant to subdivisions (1) and (2) of this subsection with the school nurse, or in the absence of such nurse, to the school administrator;

(4) The parents or guardians of the pupil sign a statement acknowledging that the district shall incur no liability as a result of any injury arising from the self-administration of medication by the pupil and that the parents or guardians shall indemnify and hold harmless the district and its employees or agents against any claims arising out of the self- administration of medication by the pupil; and

(5) The permission is effective for the school year for which it is granted and is renewed for each subsequent school year upon fulfillment of the requirements of subdivisions (1) through (4) of this subsection.

2. No school district shall be civilly or criminally liable as a result of actions taken pursuant to this section.

3. Nothing in this section shall be construed to prevent a school district from requiring pupils to maintain current duplicate prescription medications with the school nurse or in the absence of such nurse, the school administrator.

4. The state board of education shall promulgate such rules and regulations as it deems necessary to effectuate the purposes of this section.

5. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

Senate Amendment No. 15

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1301 and 1298 Page 10, Section 167.020, Line 78, by inserting immediately after the word "older" the following: "**, and no personally identifiable student records shall be made available until after the parent, guardian or the student, if eighteen years of age or older, has been notified and provided a period of at least three working days within which to view the records to be made available**".

Senate Amendment No. 16

Amend Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill Nos. 1301 and 1298, Page 13, Section 167.171, Line 89 of said page, by inserting immediately after said line the following:

"195.017. 1. The department of health shall place a substance in Schedule I if it finds that the substance:

(1) Has high potential for abuse; and

(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

(1) The controlled substances listed in this subsection are included in Schedule I;

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(a) Acetyl-alpha-methylfentanyl;

(b) Acetylmethadol;

(c) Allylprodine;

(d) Alphacetylmethadol;

(e) Alphameprodine;

(f) Alphamethadol;

(g) Alpha-methylfentanyl;

(h) Alpha-methylthiofentanyl;

(i) Benzethidine;

(j) Betacetylmethadol;

(k) Beta-hydroxyfentanyl;

(l) Beta-hydroxy-3-methylfentanyl;

(m) Betameprodine;

(n) Betamethadol;

(o) Betaprodine;

(p) Clonitazene;

(q) Dextromoramide;

(r) Diampromide;

(s) Diethylthiambutene;

(t) Difenoxin;

(u) Dimenoxadol;

(v) Dimepheptanol;

(w) Dimethylthiambutene;

(x) Dioxaphetyl butyrate;

(y) Dipipanone;

(z) Ethylmethylthiambutene;

(aa) Etonitazene;

(bb) Etoxeridine;

(cc) Furethidine;

(dd) Hydroxypethidine;

(ee) Ketobemidone;

(ff) Levomoramide;

(gg) Levophenacylmorphan;

(hh) 3-Methylfentanyl;

(ii) 3-Methylthiofentanyl;

(jj) Morpheridine;

(kk) MPPP;

(ll) Noracymethadol;

(mm) Norlevorphanol;

(nn) Normethadone;

(oo) Norpipanone;

(pp) Para-fluorofentanyl;

(qq) PEPAP;

(rr) Phenadoxone;

(ss) Phenampromide;

(tt) Phenomorphan;

(uu) Phenoperidine;

(vv) Piritramide;

(ww) Proheptazine;

(xx) Properidine;

(yy) Propiram;

(zz) Racemoramide;

(aaa) Thiofentanyl;

(bbb) Tilidine;

(ccc) Trimeperidine;

(3) Any of the following opium derivatives, their salts, isomers and salts of isomers unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(a) Acetorphine;

(b) Acetyldihydrocodeine;

(c) Benzylmorphine;

(d) Codeine methylbromide;

(e) Codeine-N-Oxide;

(f) Cyprenorphine;

(g) Desomorphine;

(h) Dihydromorphine;

(i) Drotebanol;

(j) Etorphine; (except Hydrochloride Salt);

(k) Heroin;

(l) Hydromorphinol;

(m) Methyldesorphine;

(n) Methyldihydromorphine;

(o) Morphine methylbromide;

(p) Morphine methylsulfonate;

(q) Morphine-N-Oxide;

(r) Myrophine;

(s) Nicocodeine;

(t) Nicomorphine;

(u) Normorphine;

(v) Pholcodine;

(w) Thebacon;

(4) Any material, compound, mixture or preparation which contains any quantity of the following

hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) 4-bromo-2,5-dimethoxyamphetamine;

(b) 2,5-dimethoxyamphetamine;

(c) 2,5-dimethoxy-4-ethylamphetamine;

(d) 4-methoxyamphetamine;

(e) 5-methoxy-3,4-methylenedioxyamphetamine;

(f) 4-methyl-2,5-dimethoxy amphetamine;

(g) 3,4-methylenedioxyamphetamine;

(h) 3,4-methylenedioxymethamphetamine;

(i) 3,4-methylenedioxy-N-ethylamphetamine;

(j) N-nydroxy-3, 4-methylenedioxyamphetamine;

(k) 3,4,5-trimethoxyamphetamine;

(l) Bufotenine;

(m) Diethyltryptamine;

(n) Dimethyltryptamine;

(o) Ibogaine;

(p) Lysergic acid diethylamide;

(q) Marijuana; (Marihuana;)

(r) Mescaline;

(s) Parahexyl;

(t) Peyote, to include all parts of the plant presently classified botanically as Lophophora Williamsil Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;

(u) N-ethyl-3-piperidyl benzilate;

(v) N-methyl-3-piperidyl benzilate;

(w) Psilocybin;

(x) Psilocyn;

(y) Tetrahydrocannabinols;

(z) Ethylamine analog of phencyclidine;

(aa) Pyrrolidine analog of phencyclidine;

(bb) Thiophene analog of phencyclidine;

(cc) 1-(1-(2-thienyl)cyclohexyl) pyrrolidine;

(5) Any material, compound, mixture or preparation containing any quantity of the following substances

having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

(a) Mecloqualone;

(b) Methaqualone;

(6) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

(a) Cathinone;

(b) Fenethylline;

(c) (+)cis-4-methylaminorex ((+)cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazolamine);

(d) N-ethylamphetamine;

(e) N,N-dimethylamphetamine;

(7) A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture or preparation which contains any quantity of the following substances:

(a) N-(1-benzyl-4-piperidyl)-N-phenyl-propanamide (benzylfentanyl), its optical isomers, salts and salts of isomers;

(b) N-(1-(2-thienyl) methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers;

(c) Methcathinone, which may also be known as: 2-methylamino-1-phenylpropan 1-one; ephedrone; monomethylpropion UR 1431, its salts, optical isomers and salts of optical isomers;

(d) Aminorex, which may also be known as: aminoxaphen, 2-amino-5-phenyl-2-oxazoline or 4,5-dihydro-5-phenyl-2-oxazolamine, its salts, optical isomers and salts of optical isomers;

(e) Alphaethyltryptamine, its optical isomers, salts and salts of isomers, which may also be known as: etryptamine; Alphaethyl-1 H-indole-3-ethanamine; 3-(2-aminobutyl) indole.

3. The department of health shall place a substance in Schedule II if it finds that:

(1) The substance has high potential for abuse;

(2) The substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and

(3) The abuse of the substance may lead to severe psychic or physical dependence.

4. The controlled substances listed in this subsection are included in Schedule II:

(1) Any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(a) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmefene, naloxone and naltrexone, and their respective salts but including the following:

a. Raw opium;

b. Opium extracts;

c. Opium fluid;

d. Powdered opium;

e. Granulated opium;

f. Tincture of opium;

g. Codeine;

h. Ethylmorphine;

i. Etorphine hydrochloride;

j. Hydrocodone;

k. Hydromorphone;

l. Metopon;

m. Morphine;

n. Oxycodone;

o. Oxymorphone;

p. Thebaine;

(b) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in this subdivision, but not including the isoquinoline alkaloids of opium;

(c) Opium poppy and poppy straw;

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

(e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy);

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(a) Alfentanil;

(b) Alphaprodine;

(c) Anileridine;

(d) Bezitramide;

(e) Bulk Dextropropoxyphene;

(f) Carfentanil;

(g) Butyl nitrite;

(h) Dihydrocodeine;

(i) Diphenoxylate;

(j) Fentanyl;

(k) Isomethadone;

(l) Levo-alphacetylmethadol;

(m) Levomethorphan;

(n) Levorphanol;

(o) Metazocine;

(p) Methadone;

(q) Meperidine;

(r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;

(s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane-carboxylic acid;

(t) Pethidine;

(u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4phenylpiperidine;

(v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine4-carboxylate;

(w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperdine4-carboxylic acid;

(x) Phenazocine;

(y) Piminodine;

(z) Racemethorphan;

(aa) Racemorphan;

(bb) Sulfentanil;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances

having a stimulant effect on the central nervous system:

(a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

(b) Methamphetamine, its salts, isomers, and salts of its isomers;

(c) Phenmetrazine and its salts;

(d) Methylphenidate;

(4) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) Amobarbital;

(b) Glutethimide;

(c) Pentobarbital;

(d) Phencyclidine;

(e) Secobarbital;

(5) Any material, compound or compound which contains any quantity of the following substances:

(a) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product;

(b) Nabilone;

(6) Any material, compound, mixture, or preparation which contains any quantity of the following substances:

(a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;

(b) Immediate precursors to phencyclidine (PCP):

a. 1-phenylcyclohexylamine;

b. 1-piperidinocyclohexanecarbonitrile (PCC).

5. The department of health shall place a substance in Schedule III if it finds that:

(1) The substance has a potential for abuse less than the substances listed in Schedules I and II;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) Abuse of the substance may lead to moderate or low physical dependence or high psychological dependence.

6. The controlled substances listed in this subsection are included in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

(a) Benzphetamine;

(b) Chlorphentermine;

(c) Clortermine;

(d) Phendimetrazine;

(2) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances or salts having a depressant effect on the central nervous system:

(a) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances combined with one or more active medicinal ingredients:

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

(b) Any suppository dosage form containing any quantity or salt of the following:

a. Amobarbital;

b. Secobarbital;

c. Pentobarbital;

(c) Any substance which contains any quantity of a derivative of barbituric acid or its salt;

(d) Chlorhexadol;

(e) Lysergic acid;

(f) Lysergic acid amide;

(g) Methyprylon;

(h) Sulfondiethylmethane;

(i) Sulfonethylmethane;

(j) Sulfonmethane;

(k) Tiletamine and zolazepam or any salt thereof;

(3) Nalorphine;

(4) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or their salts:

(a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(c) Not more than three hundred milligrams of dihydrocodeinone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;

(d) Not more than three hundred milligrams of dihydrocodeinone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or more than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;

(f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(g) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized

therapeutic amounts;

(h) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Anabolic steroids. Unless specially excepted or unless listed in another schedule, any material, compound, mixture or preparation containing any quantity of the following substances, including its salts, isomers and salts of

isomers whenever the existence of such salts of isomers is possible within the specific chemical designation:

(a) Boldenone;

(b) Chlorotestosterone (4-Chlortestosterone);

(c) Clostebol;

(d) Dehydrochlormethyltestosterone;

(e) Dihydrostestosterone (4-Dihydrotestosterone);

(f) Drostanolone;

(g) Ethylestrenol;

(h) Fluoxymesterone;

(i) Formebulone (Formebolone);

(j) Mesterolone;

(k) Methandienone;

(l) Methandranone;

(m) Methandriol;

(n) Methandrostenolone;

(o) Methenolone;

(p) Methyltestosterone;

(q) Mibolerone;

(r) Nandrolone;

(s) Norethandrolone;

(t) Oxandrolone;

(u) Oxymesterone;

(v) Oxymetholone;

(w) Stanolone;

(x) Stanozolol;

(y) Testolactone;

(z) Testosterone;

(aa) Trenbolone;

(bb) Any salt, ester, or isomer of a drug or substance described or listed in this subdivision, if that salt, ester or isomer promotes muscle growth except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the secretary of health and human services for that administration.

(6) The department of health may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subdivisions (1) and (2) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included

therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which

have a stimulant or depressant effect on the central nervous system.

7. The department of health shall place a substance in Schedule IV if it finds that:

(1) The substance has a low potential for abuse relative to substances in Schedule III;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) Abuse of the substance may lead to limited physical dependence or psychological dependence relative to

the substances in Schedule III.

8. The controlled substances listed in this subsection are included in Schedule IV:

(1) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their

salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(a) Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per

dosage unit;

(b) Dextropropoxyphene (alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl- -2-propionoxybutane);

(c) Any of the following limited quantities of narcotic drugs or their salts, which shall include one or more

nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation

valuable medicinal qualities other than those possessed by the narcotic drug alone:

a. Not more than two hundred milligrams of codeine per one hundred milliliters or per one hundred grams;

b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters or per one hundred

grams;

c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters or per one hundred

grams;

(2) Any material, compound, mixture or preparation containing any quantity of the following substances,

including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

(a) Alprazolam;

(b) Barbital;

(c) Bromazepam;

(d) Camazepam;

(e) Chloral betaine;

(f) Chloral hydrate;

(g) Chlordiazepoxide;

(h) Clobazam;

(i) Clonazepam;

(j) Clorazepate;

(k) Clotiazepam;

(l) Cloxazolam;

(m) Delorazepam;

(n) Diazepam;

(o) Estazolam;

(p) Ethchlorvynol;

(q) Ethinamate;

(r) Ethyl loflazepate;

(s) Fludiazepam;

(t) Flunitrazepam;

(u) Flurazepam;

(v) Halazepam;

(w) Haloxazolam;

(x) Ketazolam;

(y) Loprazolam;

(z) Lorazepam;

(aa) Lormetazepam;

(bb) Mebutamate;

(cc) Medazepam;

(dd) Meprobamate;

(ee) Methohexital;

(ff) Methylphenobarbital;

(gg) Midazolam;

(hh) Nimetazepam;

(ii) Nitrazepam;

(jj) Nordiazepam;

(kk) Oxazepam;

(ll) Oxazolam;

(mm) Paraldehyde;

(nn) Petrichloral;

(oo) Phenobarbital;

(pp) Pinazepam;

(qq) Prazepam;

(rr) Quazepam;

(ss) Temazepam;

(tt) Tetrazepam;

(uu) Triazolam;

(vv) Zolpidem;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substance

including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is

possible: fenfluramine;

(4) Any material, compound, mixture or preparation containing any quantity of the following substances

having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

(a) Cathine ((+)-norpseudoephedrine);

(b) Diethylpropion;

(c) Fencamfamin;

(d) Fenproporex;

(e) Mazindol;

(f) Mefenorex;

(g) Pemoline, including organometallic complexes and chelates thereof;

(h) Phentermine;

(i) Pipradrol;

(j) SPA ((-)-1-dimethyamino-1,2-diphenylethane);

(5) Any material, compound, mixture or preparation containing any quantity of the following substance, including its salts: pentazocine;

(6) Any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system including their salts, isomers and salts of isomers: ephedrine or its salts, **optical** isomers, or salts of optical isomers as the only active medicinal ingredient or contains ephedrine or its salts, **optical** isomers, or salts of optical isomers and therapeutically insignificant quantities of another active medicinal ingredient;

(7) The department of health may except by rule any compound, mixture, or preparation containing any depressant substance listed in subdivision (1) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

9. The department of health shall place a substance in Schedule V if it finds that:

(1) The substance has low potential for abuse relative to the controlled substances listed in Schedule IV;

(2) The substance has currently accepted medical use in treatment in the United States; and

(3) The substance has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV.

10. The controlled substances listed in this subsection are included in Schedule V:

(1) Any material, compound, mixture or preparation containing any of the following narcotic drug and its salts: buprenorphine;

(2) Any compound, mixture or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(a) Not more than two and five-tenths milligrams of diphenoxylate and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(b) Not more than one hundred milligrams of opium per one hundred milliliters or per one hundred grams;

(c) Not more than five-tenths milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(3) Any material, compound, mixture or preparation which contains any quantity of the following substance having a stimulant effect on the central nervous system including its salts, isomers and salts of isomers: pyrovalerone.

11. The department of health shall revise and republish the schedules annually.

195.246. 1. It is unlawful for any person to possess ephedrine, its salts, optical isomers and salts of optical isomers or pseudoephedrine, its salts, optical isomers and salts of optical isomers with the intent to manufacture methamphetamine or any of its analogs.

2. A person who violates this section is guilty of a class D felony.

195.248. 1. It is unlawful for any person to market, sell, distribute, advertise or label any drug product containing ephedrine, its salts, optical isomers and salts of optical isomers, or pseudoephedrine, its salts, optical isomers and salts of optical isomers, for indication of stimulation, mental alertness, weight loss, appetite control, energy or other indications not approved pursuant to the pertinent federal over-the-counter drug Final Monograph or Tentative Final Monograph or approved new drug application.

2. A person who violates this section is guilty of a class D felony."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, Page 9, Section 167.020, Line 70, by inserting immediately after "RSMo," the following: "**and except as required for compliance with federal regulation or statute,**"; and

Further amend said bill and section, page 10, lines 78 and 79 by deleting said lines and inserting in lieu thereof the following: "eighteen years of age or older. Any person found to have knowingly violated the confidentiality provisions of this subsection is guilty of a class B misdemeanor,whenever".

Senate Substitute Amendment No. 1
for Senate Amendment No. 18

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1301 and 1298 Page 21, Section 9, Line 1 by striking "1." from said line; and

Further amend said section, page 22, lines 6-34, by striking all of said lines.

Senate Amendment No. 19

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1301 & 1298, Page 4, Section 160.261, Line 103 by inserting immediately after the word "district" on said line, the following: "**and for each teacher employed by the district**"; and further on line 108, by inserting immediately after the word "enroll" the following: "**and shall be provided upon request to any school district by which the teacher is subsequently employed**"; and

Further amend said bill, page 9, section 167.020, line 69, by inserting immediately after "request." the following: "**Except as otherwise required for compliance with federal regulation or statute, no personally identifiable teacher records, however maintained, shall be made available to any person who is not employed by the school district or another school district, or to any governmental entity other than a school district, without prior written permission of the teacher.**"

Senate Amendment No. 20

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1301 & 1298, page 22, Section 9, Line 34, by inserting immediately after said line, the following:

"**Section 10. 1. The court may order a child, who has been adjudicated for a nonviolent crime and who is age fourteen or older, to work for any employer at a rate of compensation not to exceed minimum wage, for a period of time necessary to make such restitution for the damage or loss caused by his offense.**

2. A child, age fourteen or older, who is ordered by the juvenile court to make restitution for the damage or loss caused by his offense pursuant to subsection 1 of this section shall not be considered an employee as defined in section 290.500, RSMo."; and

Further amend the title and enacting clause accordingly

Senate Amendment No. 21

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 22, Section 9, Line 34, by inserting after all of said line the following:

"**Section 10. 1. Notwithstanding any provision of law to the contrary, the state board of education is hereby granted authority to waive or modify any administrative rule adopted by the state board or policy implemented by the department of elementary and secondary education. School districts may submit applications for a waiver or modification authorized pursuant to this section. Each application shall include a written request by the school district or school districts and shall demonstate that the intent of the rule or policy can be addressed in a more effective, efficient or economical manner or that the waiver or modification is necessary to implement a specific plan for improved student performance and school improvement. Prior to an application for waiver, the school distraict shall hold a pulic hearing regarding such waiver.**

2. The state board of education may grant waivers or modifications for a school distraict or school districts taht

successfully demonstrate the ability to address the intent of the rule or policy in a more effective, efficient or economical manner, or when the waivers or modifications are demonstrated to be necessary to stimulate innovation or improve student performance, provided that the waiver or modification is based upon sound educational practices, does not endaanger the health and safety or students or staff, and does not compromise equal opportunity for learning. Approved waivers or modifications shall remain in effect for a period not to exceed three school years and may be renewed by the state board of education upon application by the school district or school districts.

3. This section shall not be construed to allow the state board of education to authorize the waiver of any statutory requirements relating to teacher certification or teacher tenure."; and

Further amend title and enacting clause accordingly.

Senate Amendment No. 22

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1301 & 1298, Page 1, Section Title, Line 4, by inserting after "1995," the following:

"and sections 302.272, and 1 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bill no. 895 and house bill no. 986, eighty-eighth general assembly, second regular session, and signed by the governor into law,"; and

Further amend the title, line 4, by striking "nineteen" and inserting in lieu thereof the word "twenty"; and further on line 5 by inserting after "provisions" the following: "and a contingent emergency clause for one section"; and

Further amend said bill, page 1, section A, line 3, by inserting immediately after "1995," the following:

"and sections 302.272, and 1 as enacted by conference committee substitute for senate committee substitute for house committee substitute for house bill no. 895 and house bill no. 986, eighty-eighth general assembly, second regular session, and signed by the governor into law,"; and

Further amend line 3 of section A by striking "nineteen" and inserting in lieu thereof the following: "twenty"; and further on line 5, by inserting after "195.214," the following: "302.272,"; and

Further amend said bill, page 14, section 195.214, line 9, by inserting after said line the following:

"302.272. 1. No person shall operate any school bus owned by or under contract with a public school or the state board of education unless such driver has qualified for a school bus permit under this section and complied with the pertinent rules and regulations of the department of revenue. A school bus permit shall be issued to any applicant who meets the following qualifications:

(1) The applicant has a valid state license issued under this chapter or has a license valid in any other state;

(2) The applicant is at least twenty-one years of age;

(3) The applicant has passed a medical examination, including vision and hearing tests, as prescribed by the director of revenue and, if the applicant is at least seventy years of age, the applicant shall pass the medical examination annually to maintain or renew the permit; and

(4) The applicant has successfully passed an examination for the operation of a school bus as prescribed by the director of revenue. The examination shall include, but need not be limited to, a written skills examination of applicable laws, rules and procedures, and a driving test in the type of vehicle to be operated. The test shall be completed in the appropriate class of vehicle to be driven. For purposes of this section classes of school buses shall comply with the Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570).

2. Except as otherwise provided in this section, a school bus permit shall be renewed every three years and shall require the applicant to provide a medical examination as specified in subdivision (3) of subsection 1 of this section and to successfully pass a written skills examination as prescribed by the director of revenue in consultation with the department of elementary and secondary education. If the applicant is at least seventy years of age, the school bus permit shall be renewed annually, and the applicant shall successfully pass the examination prescribed in subdivision (4) of subsection 1 of this section prior to receiving the renewed permit. The director may waive the written skills examination on renewal of a school bus permit upon verification of the applicant's successful completion within the preceding twelve months of a training program which has been approved by the director in consultation with the department of elementary and secondary education and which is at least eight hours in duration with special instruction in school bus driving.

3. The fee for a new or renewed school bus permit shall be [eleven] **three** dollars [; except that, if the applicant is at least seventy years of age, such fee shall be three dollars and seventy-five cents].

4. Upon the applicant's completion of the requirements of subsections 1, 2 and 3 of this section, the director of revenue shall issue a temporary school bus permit to the applicant until such time as a permanent school bus permit shall be issued following the record clearance as provided in subsection 6 of

this section.

5. The director of revenue, to the best of the director's knowledge, shall not issue or renew a school bus permit to any applicant:

(1) Whose driving record shows that such applicant's privilege to operate a motor vehicle has been suspended, revoked or disqualified or whose driving record shows a history of moving vehicle violations;

(2) Who has pled guilty to or been found guilty of any felony or misdemeanor for violation of drug regulations as defined in chapter 195, RSMo; of any felony for an offense against the person as defined by chapter 565, RSMo, or any other offense against the person involving the endangerment of a child as prescribed by law; of any misdemeanor or felony for a sexual offense as defined by chapter 566, RSMo; of any misdemeanor or felony for prostitution as defined by chapter 567, RSMo; of any misdemeanor or felony for an offense against the family as defined in chapter 568, RSMo; of any felony or misdemeanor for a weapons offense as defined by chapter 571, RSMo; of any misdemeanor or felony for pornography or related offense as defined by chapter 573, RSMo; or of any similar crime in any federal, state, municipal or other court of similar jurisdiction of which the director has knowledge;

(3) Who has pled guilty or been found guilty of any felony involving robbery, arson, burglary or a related offense as defined by chapter 569, RSMo; or any similar crime in any federal, state, municipal or other court of similar jurisdiction within the preceding ten years of which the director has knowledge.

6. The department of social services or the Missouri highway patrol, whichever has access to applicable records, shall provide a record of clearance or denial of clearance for any applicant for a school bus permit for the convictions specified in subdivisions (2) and (3) of subsection 5 of this section. [The Missouri highway patrol in providing the record of clearance or denial of clearance for any such applicant is authorized to obtain from the Federal Bureau of Investigation any information which might aid the Missouri highway patrol in providing such record of clearance or denial of clearance.] The department of social services or the Missouri highway patrol shall provide the record of clearance or denial of clearance within [five] **thirty** days of the date requested, relying on information available at that time, except that the department of social services or the Missouri highway patrol shall provide any information subsequently discovered to the department of revenue.

[Section 1. 1. Any motor vehicle assembled by a two or four year institution of higher education exclusively utilizing "solar power" and built to compete in a national competition organized to foster interest in solar energy shall be registered and titled by the director of revenue, other laws regulating licensing of motor vehicles to the contrary notwithstanding.

2. Such institution shall file an application in a form prescribed by the director, verified by affidavit, that such vehicle meets the requirements of subsection 1 of this section.

3. The plate issued by the director shall be the "collegiate plate" of the institution and shall display the term "solar" in a manner prescribed by the director.

4. The institution shall pay the applicable fees as determined by the director.]" and

Further amend said bill, page 22, section 9, line 34, by inserting immediately after said line the following:

"Section B. Because immediate action is necessary to ensure the availability of a sufficient number of licensed school bus drivers, section 302.272 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 302.272 of this act shall be in full force and effect upon its passage and approval, but shall only take effect subsequent to the passage and approval by the governor of conference committee substitute for senate committee substitute for house committee substitute for house bill no. 895 and house bill no. 986, eighty-eighth general assembly, second regular session."

Senate Amendment No. 23

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Numbers 1301 and 1298, Page 22, Section 9, Line 34 by inserting immediately after said line, the following:

"Section 10. 1. A person commits the crime of assault of a teacher in the first degree if he attempts to kill or knowingly causes or attempts to cause serious physical injury to a teacher who is performing the duties of a teacher.

2. Assault of a teacher in the first degree is a class A felony.

Section 11. 1. A person commits the crime of assault of a teacher in the second degree if he:

(1) Attempts to cause or knowingly causes physical injury to a teacher who is performing the duties of a teacher by means of a deadly weapon or dangerous instrument;

(2) Recklessly causes serious physical injury to a teacher who is performing the duties of a teacher.

2. Assault of a teacher in the second degree is a class B felony.

Section 12. 1. A person commits the crime of assault of a teacher in the third degree if:

(1) He attempts to cause or recklessly causes physical injury to a teacher who is performing the duties of a teacher;

(2) With criminal negligence he causes physical injury to a teacher who is performing the duties of a teacher by means of a deadly weapon;

(3) He purposely places a teacher who is performing the duties of a teacher in apprehension of immediate physical injury;

(4) He recklessly engages in conduct which creates a grave risk of death or serious physical injury to a teacher who is performing the duties of a teacher;

2. Assault of a teacher in the third degree is a class A misdemeanor."; and

Further amend the title and enacting clause accordingly

Senate Amendment No. 24

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 18, Section 3, Line 21 on said page by inserting after the word "state" the following:

"with the approval of the district's board of education"

Senate Amendment No. 25

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 & 1298, Page 12, Section 167.171 (3) (2), Line 54 on said page by deleting the words "following acts" and substituting in lieu thereof the following:

"acts enumerated in sub-division (4) of this sub-section and further amend said bill on page 12, Section 167.171 (3) (3), line 57, by deleting the words "following acts" and substituting in lieu thereof the following: "acts enumerated in sub-division (4) of this sub-section"

Senate Amendment No. 28

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, page 22, section 9, line 34, by adding at the end of said section the following:

"Section 10. After the effective date of this act any school district with a graduating rate as reported in Section 9 of less than sixty percent shall not issue any multi year contract to any administrator.

Senate Amendment No. 29

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1248, page 9, section 167.020, line 69, by deleting the words "seven business days" and inserting the words "three business days"; and

Further amend said bill, page 4, line 107, by adding after the word "provided" the following: "as required in section 167.020 RSMo"

Senate Amendment No. 30

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1248, page 18, section 3, line 19, by adding at the end of said line the following: "and shall not be offered for academic credit"

Senate Amendment No. 31

AMEND Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, page 21, section 7, line 2, by adding at the end of said line, the following: "who have graduated or reached the age of twenty-one years"

Senate Amendment No. 32

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, page 7, section 162.680, line 1-16, by striking all of said section and inserting in lieu thereof the following:

"162.680. 1. No child may be denied services provided by sections 162.670 to 162.995 because of his handicapping condition.

2. To the maximum extent appropriate, handicapped and severely handicapped children shall be educated

along with children who do not have handicaps and shall attend regular classes**, except that in the case of a disability resulting in violent behavior which causes a substantial likelihood of injury to the student or others, the school district shall initiate procedures consistent with state and federal law to remove the child to a more appropriate placement**. Impediments to learning and to the normal functioning of such children in the regular school environment shall be overcome whenever practicable by the provision of special aids and services rather than by separate schooling for the handicapped."

Senate Amendment No. 33

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, page 22, section 9, line 34, by inserting immediately after said line, the following:

"**Section 10. The school board of any school district may adopt a policy regarding the use of profane language in school by students and teachers. The policy may provide for discipline of students who use profane language, including suspension not to exceed ten days, and the policy may provide for discipline or dismissal for teachers who use profane language or who allow students to use profane language in violation of the policy.**"; and

Further amend the title and enacting clause accordingly

Senate Amendment No. 35

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, page 13, section 167.171, line 89, by inserting immediately after said line, the following:

"**170.260. Each school in each school district, as defined in section 160.010, RSMo, which offers more than one classroom section of a regular instruction class or program, may offer at least one section of such class or program which shall be designated as "motivated". Only students who apply for entrance into the motivated section and complete and sign a motivated contract, established by resolution of the school board of the district, shall be eligible for admission into a class or program designated as "motivated". The contract shall include, at a minimum:**

(1) A commitment to do all required homework except when extenuating circumstances prevent it;

(2) A commitment to be respectful to teachers and other students at all times;

(3) Provision for probationary status upon the first violation of the contract by the student; and

(4) Provision for transfer to a regular class or program upon the third violation of the contract within a school year by the student."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 36

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, page 10, section 167.020, line 75, by striking "; without" and inserting in lieu thereof the following: "**, unless the school district has obtained within the current school year and has on file**"

Senate Amendment No. 37

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, page 14, section 574.085, line 1, by inserting immediately before said line, the following:

"**304.076. Notwithstanding anything in subsection 1 of section 304.075 to the contrary, effective August 28, 1996, any new bus to be used to transport children to or from a federal Head Start program shall bear signs indicating that it is a Head Start school bus. Any bus that was used to transport children to or from a Head Start program prior to August 28, 1996, that continues to transport children to or from a Head Start program after such date may bear signs indicating that it is a Head Start school bus.**"; and

Further amend the title and enacting clause accordingly.

Emergency Clause Adopted.

In which the concurrence of the House is respectfully requested.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Friday, May 10, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventieth Day, Wednesday, May 8, 1996, page 5, by deleting lines 40 and 41 and inserting in lieu thereof the following: "On motion of Representative Legan, **CCS HCS SCS SB 657** was truly

agreed to and finally passed by the following vote:

Pages 4 and 5, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representative Wooten voting "no" rather than "absent with leave".

Page 7, roll call, by showing Representatives Heckemeyer, Liese and Farmer voting "aye" rather than "absent with leave".

Pages 16, roll call, by showing Representative Heckemeyer voting "no" rather than "absent with leave".

Page 18, roll call, by showing Representative Edwards-Pavia voting "aye" rather than "absent with leave".

Page 23, roll call, by showing Representative Stokan voting "aye" rather than "absent with leave".

Page 24, roll call, by showing Representative Leake voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BANKS AND FINANCIAL INSTITUTIONS

Thursday, May 9, 1996, 1:30 pm. Hearing Room 9. Executive session.

To be considered - SB 836

BUDGET

Thursday, May 9, 1996, 8:30 am. Hearing Room 9. Executive session on previously heard bills.

BUDGET

Friday, May 10, 1996, 8:30 am. Hearing Room 9. Executive Session

To be considered - SB 722, SB 884

COMMERCE

Thursday, May 9, 1996, 9:00 am. Hearing Room 5. Executive session to follow.

To be considered - SB 524

CORRECTIONAL & STATE INSTITUTIONS

Thursday, May 9, 1996, 1:00 pm. Hearing Room 8. Executive Session.

To be considered - SB 489, SB 781

EDUCATION - ELEMENTARY AND SECONDARY

Thursday, May 9, 1996, 9:00 am. Hearing Rooms 1 & 2

To be considered - SB 852

INSURANCE

Thursday, May 9, 1996. Side gallery upon morning adjournment.

To be considered - Executive Session - SB 597

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, May 9, 1996, 9:00 am. Hearing Room 7. Amended

RETIREMENT

Thursday, May 9, 1996, 9:30 am. Side Gallery. Executive session to follow.

To be considered - SB 685

SCIENCE, TECHNOLOGY AND CRITICAL ISSUES

Thursday, May 9, 1996. Hearing Room 9 upon evening adjournment. Executive session may follow. Amended Notice

To be considered - SB 713

TOURISM, RECREATION AND CULTURAL AFFAIRS

Thursday, May 9, 1996, 1:00 pm. Hearing Room 7. Executive session to follow.

To be considered - SB 695

WORKERS COMPENSATION AND EMPLOYMENT SECURITY

Thursday, May 9, 1996. Side gallery upon morning adjournment. Executive session.

HOUSE CALENDAR

SEVENTY-SECOND DAY, FRIDAY, MAY 10, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS,as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

1 SB 664 - Hartzler (123)
2 HCS SB 888, HS, as amended, HA 16 pending - Jacob
3 HCS SB 769 - Canuteson
4 SB 589 - Dougherty
5 SB 757 - Sears (1)
6 SB 525, HCA 1 - Backer
7 SB 526 - Harlan
8 SS SB 981, HCA 1,HCA 2 & HCA 3, E.C. - Farmer
9 HCS SS SCS SB 723 & 891 - Rizzo
10 HCS SB 572 - Morgan
11 HCS SCS SB 884 & 841, (Budget Fiscal 5-8-96) - Witt
12 HCS SS SS SB 488 - Dougherty
13 HCS SS SCS SB 722, (Budget Fiscal 5-8-96) - Hosmer
14 HCS SS SCS SB 869, (Budget Fiscal 5-9-96) - Witt
15 SCS SB 719, HCA 1 (Budget Fiscal 5-9-96) - Lakin
16 SB 661 - McBride
17 SB 876, HCA 1 - Bray
18 SB 787 - Montgomery
19 SB 500 - Lumpe
20 HCS SB 634 - Smith
21 SB 805 - Bland

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

HCS SB 904, Part I,as amended, adopted - Wiggins

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1098, SA 1, SA 1 to SA 2, SA 2,as amended, - Goward

HCS HB 991, SCAs 1,2,3,4, SAs 1,2,3,4,5,6,7,11,12, 13,14,15 - Koller

SCS HCS HB 1099, as amended, E.C. - Williams (159)

HB 905, SCA 1, SA 1 SA 2 - Rizzo

SCS HS HCS HB 1301 & 1298, as amended, E.C. - McLuckie

BILL CARRYING REQUEST MESSAGES

SCS HCS HB 1010, House req. Senate grant further conf. and conferees be allowed

to exceed diff - Carter

BILLS IN CONFERENCE

CCR SCS HCS HB 1011 - Troupe

CCR SCS HCS HB 1012 - Green

CCR HCS SB 676 - Smith

CCR HB 811, as amended - Smith

SS SCS HB 974 - Crump

SB 858, as amended - Carter

CCR HS HB 832, as amended - Montgomery

HCS HB 781, as amended - Stokan

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTION

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

COURTESY RESOLUTIONS

HR 1025 - Marble

HR 1026 - Vogel

HR 1027 - Heckemeyer

HR 1028 - Van Zandt

HR 1029 - Stokan

HR 1030 - Farnen

HR 1031, through HR 1039 - Boucher

HR 1040 - Shields

HR 1041 - Reynolds

HR 1042, and HR 1043 - Bonner

HR 1044 - Crum (112)

HR 1045, through HR 1058 - Cierpiot

HR 1059, and HR 1060 - Kelly (27)

HR 1061 - Kissell

HR 1062, through HR 1075 - Cierpiot

HR 1076, through HR 1078 - Lakin

HR 1079 - Keeven

HR 1080 - Foley

HR 1081 - Howerton

HR 1082 - Sears (1)

HR 1083 - Stoll

HR 1084 - Long

HR 1085, through HR 1087 - Kelley (47)

HR 1088 - Scheve

HR 1089 - Pryor

HR 1090 - Legan

HR 1091 - Kauffman

HR 1092 - Richardson

HR 1093 - Robirds

HR 1094 - Donvan

HR 1095 - Prost

HR 1096 - Enz

HR 1097, through HR 1103 - Shear (83)

HR 1104 - Vogel

HR 1105, and HR 1106 - Shear (83)

HR 1107, through HR 1112 - Fitzwater

HR 1113 - Elliott

HR 1114 - Crum (112)

HR 1115 - Hegeman

HR 1116 - Koller

HR 1117 - Graham

HR 1118 - Hendrickson

HR 1119 - McClelland

HR 1120, and HR 1121 - Burton

HR 1122 - Steen

HR 1123, and HR 1125 - Lakin

HR 1126 - Kauffman

HR 1127, and HR 1127 - Fitzwater

HR 1128 - Fitzwater

HR 1129, through HR 1173 - Cierpiot

HR 1174 - Surface

HR 1175 - Gaw

HR 1176 - McClelland

HR 1177 - Graham

HR 1178 - Green

HR 1179 - Clayton

HR 1180 - Richardson

HR 1181 - Ross

HR 1182, through HR 1191 - Mitchell

HR 1192 - Evans

HR 1193 - Sombart

HR 1194 - Scott

HR 1195 - Backer

HR 1196, through 1199 - Mitchell

HR 1200, and 1221 - Tate

HR 1222 - Harlan

HR 1223 - McClelland

HR 1224 - McBride

HR 1225 - Gaw

HR 1226 - Gaw

HR 1227 - Griesheimer

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SEVENTY-SECOND DAY, Friday, May 10, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Representative Pat Kelley.

Gracious God, we thank you for creating us and giving us life. We thank you for your Word that gives us a road map through life. We thank you for giving us moral principles and guidelines to live our lives by.

We ask for your Presence with us in the next eight days that as legislators, You would give us guidance and wisdom, and that what we do would bring honor and glory to you.

We give you thanks for these children attending here today, and may what we do here help provide a better future for them. We pray that they will also look to You for guidance in their lives. We pray you will kindle in each of us a new spirit, that will lead to a revival throughout our land.

We pray for Representative Joe Clay Crum in the hospital, that you would bring healing to him, surround him with love and care, and help him know that You are there with him.

We give thanks for all your blessings. In Jesus name we pray.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mandy Henry, Matthew Henry, Rosetta Francis, Deon Blackmon, Javon Sharp, Tyler Zachary Alexander, Andrea Perkins, Bridget Enochs, David Foley, Steven Beck, Christin Neporadny and R.W. "Bill" Neporadny.

The Journal of the seventy-first day was approved as corrected.

RESOLUTIONS

Representative Skaggs offered House Resolution No. 1228.

Representative Gross offered House Resolution Nos. 1229 and 1230, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Marshall (26) offered House Resolution Nos. 1231 and 1232, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fiebelman and Overschmidt offered House Resolution No. 1233, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Shear (83) offered House Resolution Nos. 1234 through 1238, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Copeland offered House Resolution Nos. 1240 through 1242, which were referred to the

Committee on Miscellaneous Bills and Resolutions.

Representative Steen offered House Resolution No. 1243, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Childers offered House Resolution No. 1244, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Boatright and Marshall (26) offered House Resolution No. 1245, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Williams (121) and Murray (135) offered House Resolution No. 1246, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Rizzo offered House Resolution No. 1247, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Broach offered House Resolution No. 1248, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COURTESY RESOLUTIONS

House Resolution Nos. 1025 through 1227 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 1025 through 1227 were adopted.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HCS HB 1146**, begs leave to report that it has examined the same and finds it to be truly and correctly printed as agreed to and finally passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 773**, entitled:

An act to repeal section 302.304, RSMo 1994, relating to motor vehicles, and to enact in lieu thereof one new section relating to the same subject

With Senate Committee Amendment No. 1 and Senate Amendment No. 2

Senate Committee Amendment No. 1

AMEND House Bill No. 773, Page 1, Section 302.304, Line 5, by inserting immediately after "conviction." the following: "**No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.**".

Senate Amendment No. 2

AMEND House Bill No. 773, Page 3, Section 302.304, Line 80, by inserting after said line the following:

"Section 1. The department of revenue shall not release the home address or any other information contained in the department's motor vehicle or driver registration records regarding any person who is a county, state or federal parole officer or who is a federal pretrial officer based on a specific request for such information from any person. Any person who is a county, state or federal parole officer or who is a federal pretrial officer may notify the department of such status and the department shall protect the confidentiality of the records on such a person as required by this section. This section shall not prohibit the department from releasing information on a motor registration list pursuant to section 32.055 RSMo."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1013**, entitled:

An act to appropriate money for real property leases, related services and utilities and systems furniture; and structural modifications for new FTE for the several departments of state government and the division and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and

the divisions and programs thereof, and to transfer money among certain funds, for the period beginning July 1, 1996, and ending June 30, 1997.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1019.**

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HB 991, with Senate Committee Amendment Nos. 1, 2, 3 and 4 and Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14 and 15, relating to motor carriers, was taken up by Representative Koller.

Representative Koller moved that the House refuse to concur in **Senate Committee Amendment Nos. 1, 2, 3 and 4 and Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14 and 15 to HCS HB 991** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HCS HB 1099, as amended, relating to commercial feed law, was taken up by Representative Williams (159).

On motion of Representative Williams (159), **SCS HCS HB 1099, as amended,** was adopted by the following vote:

AYES: 138

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crump 152	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Gaskill	Goward
Graham	Gratz	Green	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	O'Connor
Oetting	Ostmann	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab 104	Scott	Sears 1	Secrest	Sheldon
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 011

Fiebelman	Froelker	Gibbons	Griesheimer	Hendrickson
Linton	Luetkenhaus	Nordwald	Overschmidt	Ridgeway

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 012

Crum 112	Daniel 42	Dougherty	Hickey	Loudon
O'Neill	O'Toole	Ribaudo	Shear 83	Thompson 37
Wannenmacher	Ward			

VACANCY: 002

On motion of Representative Williams (159), **SCS HCS HB 1099, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 135

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crump 152	Daniels 41	Davis	Days	Donovan
Elliott	Enz	Evans	Farmer	Farnen
Fitzwater	Foley	Ford	Foster	Franklin
Garnett	Gaskill	Goward	Graham	Gratz
Green	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	Oetting	Ostmann	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 015

Akin	Edwards-Pavia	Fiebelman	Froelker	Gibbons
Griesheimer	Hartzler 123	Kissell	Linton	Loudon
Luetkenhaus	Murphy	Overschmidt	Ridgeway	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 011

Crum 112	Daniel 42	Dougherty	Hickey	O'Neill
O'Toole	Ribaudo	Thompson 37	Wannenmacher	Ward

Wiggins

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Alter	Auer	Backer	Ballard	Barry 100
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray 84	Brown	Burton	Canuteson
Carter	Champion	Childers	Cierpiot	Clayton
Cooper	Copeland	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Edwards-Pavia	Farmer
Farnen	Fitzwater	Foley	Ford	Franklin
Garnett	Gaskill	Goward	Graham	Gratz
Green	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Heckemeyer	Hegeman	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelly 27	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Montgomery	Morgan	Murray 69	Murray

135				
Naeger	Nordwald	O'Connor	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton
57				
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason
163				
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 025

Akin	Barnett 4	Broach	Chrismer	Elliott
Enz	Evans	Fiebelman	Foster	Froelker
Gibbons	Griesheimer	Hartzler 123	Hartzler 124	
Hendrickson				
Hohulin	Kissell	Lograsso	Loudon	
Luetkenhaus				
Murphy	Richardson	Ridgeway	Steen	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 009

Crum 112	Dougherty	Hickey	Kelley 47	O'Neill
O'Toole	Ribaudo	Wannenmacher	Ward	

VACANCY: 002

On motion of Representative Clayton, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

The Speaker assumed the Chair.

SCS HS HCS HBs 1301 and 1298, as amended, relating to school safety, was taken up by Representative McLuckie.

Representative McLuckie moved that the House refuse to adopt **SCS HS HCS HBs 1301 and 1298, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

HB 905, with Senate Committee Amendment No. 1, Senate Amendment No. 1 andn Senate Amendment No. 2, relating to Department of Aging, was taken up by Representative Rizzo.

On motion of Representative Rizzo, the House concurred in **Senate Committee Amendment No. 1 and Senate Amendment No. 1** by the following vote:.

AYES: 094

Auer	Backer	Barry 100	Bartelsmeyer	Bennett
15				
Bonner	Boucher	Bray 84	Brown	Canuteson
Carter	Childers	Clayton	Cooper	Copeland
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Garnett	Goward
Gratz	Green	Gross	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Heckemeyer	Hoppe	Hosmer
Jacob	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Liese
Long	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Montgomery	Morgan
Murphy	Murray 69	O'Connor	Overschmidt	Pauley
Prost	Relford	Reynolds	Rizzo	Ross

Sallee	Scheve	Schilling	Sears 1	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Sombart
Stokan	Stoll	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 058

Akin	Alter	Ballard	Barnett 4	Boatright
Broach	Burton	Champion	Chrismer	Cierpiot
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Graham	Griesheimer
Hall	Hand	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kauffman	Keeven
Legan	Levin	Linton	Lograsso	Loudon
Marble	Marshall 133	McClelland	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Schwab	Scott
Secrest	Shields	Steen	Summers	Surface
Van Zandt	Vogel	Wieland		

PRESENT: 001

Bland

ABSENT WITH LEAVE: 008

Crum 112	Dougherty	Hickey	O'Neill	O'Toole
Ribaudo	Wannenmacher	Ward		

VACANCY: 002

Representative Rizzo moved that the House refuse to concur in **Senate Amendment No. 2 to HB 905** and request that the Senate recede from its position on **Senate Amendment No. 2 to HB 905** or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Kelley (47), having voted on the prevailing side, moved that the vote by which the House concurred in **Senate Committee Amendment No. 1 and Senate Amendment No. 1 to HB 905** be reconsidered.

Which motion was adopted by the following vote:

AYES: 144

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Daniel 42	Daniels 41
Davis	Days	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Fiebelman	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith

Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Mr. Speaker	

NOES: 008

Auer	Clayton	Farnen	Fitzwater	Green
Scott	Witt	Wooten		

PRESENT: 001

Bland

ABSENT WITH LEAVE: 008

Crum 112	Crump 152	Dougherty	Hickey	O'Neill
Ribaudo	Wannenmacher	Ward		

VACANCY: 002

Representative Rizzo moved that the House refuse to concur in **Senate Committee Amendment No. 1 and Senate Amendment No. 1 to HB 905** and request the Senate to recede from its position, or failing to do so, grant the House a conference.

Which motion was adopted.

Speaker Pro Tem Daniels resumed the Chair.

SCS HCS HB 1013, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **SCS HCS HB 1013** was adopted by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 124	Hand	Harlan	Hartzler 123	Hartzler
Heckemeyer	Hegeman	Hendrickson	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus 133	Lumpe	Marble	Marshall 26	Marshall
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott 104	Sears 1	Secrest	Shear 83	Sheldon
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Mr. Speaker		

NOES: 003

Hohulin	Murphy	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 010

Crum 112	Dougherty	Hall	Hickey	O'Neill
Ribaudo	Richardson	Thompson 37	Wannenmacher	Ward

VACANCY: 002

On motion of Representative Green, **SCS HCS HB 1013** was truly agreed to and finally passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 004

Barnett 4	Hohulin	Murphy	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 010

Crum 112	Dougherty	Hall	Heckemeyer	Hickey
O'Neill	Pryor	Ribaudo	Wannenmacher	Ward

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **SCS HCS HB 1010** as amended and that the conferees are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 895**, entitled:

An act to repeal section 451.020, RSMo 1994, relating to domestic relations, and to enact in lieu thereof one new section relating to the same subject.

In which the concurrence of the House is respectfully requested.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committee to act with like committees from the Senate on the following bills:

SCS HCS HB 1010: Representatives Lumpe, Lakin, Shields, Carter and Donovan
HCS HB 781: Representatives Stokan, Williams (121), Sears (1), Whiteside and McClelland

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 1010, as amended**: Senators Lybyer, Wiggins, Goode, Russell and Melton.

BILLS IN CONFERENCE

CCR HS HB 832, as amended, relating to veterans cemetaries, was taken up by Representative Montgomery.

On motion of Representative Montgomery **CCR HS HB 832, as amended,** was adopted by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 003

Auer	Hendrickson	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 009

Crum 112	Dougherty	Hickey	Hohulin	Kelley 47
O'Neill	Ribaudo	Wannenmacher	Ward	

VACANCY: 002

On motion of Representative Montgomery, **CCS HS HB 832** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Auer

PRESENT: 000

ABSENT WITH LEAVE: 010

Crum 112	Dougherty	Hickey	Hohulin	O'Neill
Ribaudo	Stokan	Thompson 37	Wannenmacher	Ward

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT #3
ON HOUSE BILL NO. 1010

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, as amended, begs leave to report that we, after open, free and fair discussion of the differences between the Senate and House, have agreed to recommend and do recommend to the respective bodies as follows:

That the House recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 1010, as amended, and that the Senate recede from its position on House Committee Substitute for House Bill No. 1010, and that Conference Committee Substitute #3 for House Bill 1010, be adopted.

FOR THE HOUSE: FOR THE SENATE:

/s/ Sheila Lumpe
/s/ Scott Lakin
/s/ Paula J. Carter
/s/ Laurie Donovan
/s/ Charlie Shields

/s/ Mike Lybyer
/s/ Harry Wiggins
/s/ Wayne Goode
/s/ Emory Melton
/s/ John T. Russell

CCR # 3 SCS HCS HB 1010, relating to appropriations, was taken up by Representative Carter.

On motion of Representative Carter, **CCR # 3 SCS HCS HB 1010** was adopted by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Crum 112	Dougherty	Hickey	Hohulin	O'Neill
Ribaudo	Thompson 37	Wannenmacher	Ward	

VACANCY: 002

On motion of Representative Carter,**CCS # 3 SCS HCS HB 1010** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124

Heckemeyer	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Champion	Crum 112	Dougherty	Hickey	O'Neill
Ribaudo	Wannenmacher	Ward		

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Leake, title to the bill was agreed to.

Representative Kreider moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1011, relating to appropriations, was taken up by Representative Troupe.

On motion of Representative Troupe, **CCR SCS HCS HB 1011** was adopted by the following vote

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57

Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 002

Hohulin	Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 011

Bartelsmeyer	Bray 84	Crum 112	Dougherty	Hickey
O'Neill	Ostmann	Ribaudo	Wannenmacher	Ward

Witt

VACANCY: 002

On motion of Representative Troupe, **CCS SCS HCS HB 1011** was read the third time and passed by the following vote:

AYES: 147

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Cierpiot
Clayton	Cooper	Copeland	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 004

Akin	Chrismer	Hohulin	Lograsso

PRESENT: 000

ABSENT WITH LEAVE: 010

Bray 84	Crum 112	Dougherty	Hickey	McLuckie
O'Neill	Reynolds	Ribaudo	Wannenmacher	Ward

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

CCR SCS HCS HB 1012, relating to appropriations, was taken up by Representative Green.

On motion of Representative Green, **CCR SCS HCS HB 1012** was adopted by the following vote:

AYES: 121

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bennett 15	Bland	Boucher	Broach
Brown	Burton	Carter	Champion	Childers
Clayton	Cooper	Copeland	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Edwards-Pavia
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Garnett	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Luetkenhaus	Lumpe
Marble	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Pauley	Pouche
Prost	Relford	Reynolds	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 031

Akin	Bartelsmeyer	Boatright	Canuteson	Chrismer
Cierpiot	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gross	Hegeman	Hendrickson
Hohulin	Howerton	Keeven	Klumb	Lograsso
Long	Loudon	Marshall 133	Oetting	Pryor
Richardson	Ridgeway	Steen	Summers	Surface

Wieland

PRESENT: 001

Bonner

ABSENT WITH LEAVE: 008

Bray 84	Crum 112	Dougherty	Hickey	O'Neill
Ribaudo	Wannenmacher	Ward		

VACANCY: 002

On motion of Representative Green, **CCS SCS HCS HB 1012** was read the third time and passed by the following vote:

AYES: 114

Auer	Backer	Ballard	Barnett 4	Barry 100
Bennett 15	Bland	Boucher	Broach	Brown
Burton	Carter	Childers	Clayton	Cooper
Copeland	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Garnett
Gibbons	Goward	Graham	Gratz	Green

Griesheimer	Gunn	Hagan-Harrell	Hall	Harlan
Hartzler 123	Heckemeyer	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Kelley 47	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Liese	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Ostmann	Overschmidt
Pauley	Pouche	Prost	Relford	Reynolds
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 037

Akin	Alter	Bartelsmeyer	Boatright	Canuteson
Champion	Chrismer	Cierpiot	Edwards-Pavia	Elliott
Enz	Evans	Foster	Froelker	Gaskill
Gross	Hand	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Keeven	Levin	Linton
Lograsso	Long	Loudon	Marble	Marshall 133
Oetting	Pryor	Richardson	Ridgeway	Summers
Surface	Wieland			

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PRESENT: 001

Bonner

ABSENT WITH LEAVE: 009

Bray 84	Crum 112	Dougherty	Hickey	Klumb
O'Neill	Ribaudo	Wannenmacher	Ward	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

Speaker Pro Tem Daniels resumed the Chair.

CCR HB 811, as amended, relating to anatomical gifts, was taken up by Representative Smith.

On motion of Representative Smith, **CCR HB 811, as amended,** was adopted by the following vote:

AYES: 136

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Brown	Burton	Canuteson
Carter	Champion	Childers	Cierpiot	Clayton
Cooper	Copeland	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Heckemeyer	Hegeman	Hendrickson
Hoppe	Hosmer	Howerton	Jacob	Kasten

Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Leake	Legan
Levin	Liese	Long	Loudon	Luetkenhaus
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Montgomery	Morgan
Murphy	Murray 69	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 012

Akin	Broach	Chrismer	Edwards-Pavia	Froelker
Hall	Hartzler 124	Hohulin	Linton	Lograsso
Whiteside	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bray 84	Crum 112	Dougherty	Franklin	Hickey
Lakin	Lumpe	Murray 135	O'Neill	Ribaudo
Ridgeway	Wannenmacher	Ward		

VACANCY: 002

On motion of Representative Smith, **CCS HB 811** was read the third time and passed by the following vote:

AYES: 135

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Brown	Burton	Canuteson
Carter	Champion	Childers	Cierpiot	Clayton
Cooper	Copeland	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hand	Harlan	Hartzler 123	Heckemeyer
Hegeman	Hendrickson	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Leake	Legan	Levin	Liese	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wiggins	Williams 121	Witt	Wooten	Mr. Speaker

NOES: 009

Akin	Broach	Chrismer	Hall	Hartzler

124				
Hohulin	Linton	Whiteside	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 017

Bray 84	Crum 112	Dougherty	Franklin	Hickey
Lakin	Lograsso	Lumpe	O'Neill	Reynolds
Ribaudo	Richardson	Ridgeway	Thompson 37	
Wannenmacher				
Ward	Williams 159			

VACANCY: 002

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

CCR HCS SB 676, relating to hospital operations, was taken up by Representative Smith.

Representative Shields raised a point of order that **CCR HCS SB 676** exceeds the differences between the House and the Senate.

The Chair ruled the point of order not well taken.

On motion of Representative Smith, **CCR HCS SB 676** was adopted by the following vote:

AYES: 088

Auer	Backer	Barry 100	Bennett 15	Bonner
Boucher	Canuteson	Carter	Childers	Clayton
Copeland	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Edwards-Pavia	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Garnett
Goward	Graham	Gratz	Green	Hagan-Harrell
Harlan	Heckemeyer	Hoppe	Hosmer	Jacob
Kelly 27	Kissell	Klumb	Koller	Lakin
Leake	Legan	Liese	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McLuckie	Montgomery	Morgan	Murray 69	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Relford	Reynolds	Ridgeway
Rizzo	Robirds	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Tate
Thomason 163	Treadway	Van Zandt	Wiggins	Williams 121
Williams 159	Witt	Mr. Speaker		

NOES: 057

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bland	Boatright	Broach	Brown	Burton
Champion	Chrismer	Cierpiot	Cooper	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Kreider
Levin	Linton	Lograsso	Long	Loudon
Marble	McClelland	Murphy	Murray 135	Pouche
Pryor	Richardson	Ross	Sallee	Schwab
Scott	Secrest	Steen	Surface	Vogel
Whiteside	Wieland			

PRESENT: 001

Shields

ABSENT WITH LEAVE: 015

Bray 84	Crum 112	Dougherty	Elliott	Ford
Gunn	Hickey	O'Neill	Prost	Ribaudo
Thompson 37	Troupe	Wannenmacher	Ward	Wooten

VACANCY: 002

The Speaker resumed the Chair.

On motion of Representative Smith, **HCS SB 676, as amended by the CCR,** was read the third time and passed by the following vote:

AYES: 094

Auer	Backer	Barry 100	Bennett 15	Bland
Bonner	Boucher	Burton	Canuteson	Carter
Childers	Clayton	Copeland	Daniel 42	Daniels 41
Davis	Days	Donovan	Edwards-Pavia	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Franklin
Garnett	Goward	Graham	Gratz	Green
Gross	Hagan-Harrell	Harlan	Heckemeyer	Hoppe
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Lakin	Leake	Legan	Liese
Long	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McLuckie	Montgomery
Morgan	Murray 69	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Relford	Reynolds	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schilling	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Tate
Thomason 163	Treadway	Van Zandt	Whiteside	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 044

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Broach	Brown	Champion	Chrismer
Cierpiot	Cooper	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Griesheimer	Hall
Hand	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Kasten	Kauffman	Keeven
Kreider	Levin	Linton	McClelland	Murphy
Pouche	Pryor	Richardson	Sallee	Schwab
Secrest	Steen	Vogel	Wieland	

PRESENT: 001

Shields

ABSENT WITH LEAVE: 022

Bray 84	Crum 112	Crump 152	Dougherty	Elliott
Ford	Gunn	Hickey	Kelley 47	Lograsso
Loudon	Marble	Murray 135	O'Neill	Prost
Ribaudo	Surface	Thompson 37	Troupe	Wannenmacher
Ward	Wooten			

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Days, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1002, as amended**, and has taken up and passed **CCS HB 1002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1003, as amended**, and has taken up and passed **CCS HB 1003**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1004**, and has taken up and passed **CCS HB 1004**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1005, as amended**, and has taken up and passed **CCS HB 1005**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1006, as amended**, and has taken up and passed **CCS HB 1006**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1007**, and has taken up and passed **CCS HB 1007**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1008**, and has taken up and passed **CCS HB 1008**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1009, as amended**, and has taken up and passed **CCS HB 1009**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #3 on **SCS HCS HB 1010, as amended**, and has taken up and passed **CCS #3 HB 1010**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1011**, and has taken up and passed **CCS HB 1011**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 1012**, and has taken up and passed **CCS HB 1012**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HCS HBs 1301 & 1298, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Moseley, Caskey, Johnson, Westfall and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS HB 781, as amended**: Senators House, Flotron, Caskey, Bentley and Mathewson.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCA 1, SA 1, SA 2 to HB 905** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Depasco, Quick, McKenna, Treppler and Russell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 979**, entitled:

An act to amend chapters 140 and 141, RSMo, by adding thereto one new section to each such chapter for the purpose of preserving valid covenants and easements upon real property after certain sales of land.

With Senate Committee Amendment No. 1.

Senate Committee Amendment No. 1

Amend House Bill No. 979, Page 1, Section 140.722 , Line 1, by inserting immediately after the word "valid" the word "**recorded**"; and further on line 2, striking the words "or in use"; and

Further amend said bill, page 1, section 141.202, line 1, by inserting immediately after the word "valid" the word "**recorded**"; and further on line 2, by striking the words "or in use"

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBS 1376 & 1501**, entitled:

An act to repeal sections 162.955, 162.961 and 162.963, RSMo 1994, relating to special education due-process hearings, and to enact in lieu thereof five new sections relating to the same subject.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1020**, entitled:

An act to appropriate money for expenses, grants, equity contributions, debt service retirement, utility services expansions and extensions, planning, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

SCS HCS HB 1020, relating to appropriations, was taken up by Representative Lakin.

Representative Lakin moved that the House adopt **SCS HCS HB 1020**.

The motion to adopt **SCS HCS HB 1020** was withdrawn.

Representative Lakin moved that the House refuse to adopt **SCS HCS HB 1020** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

The motion to refuse to adopt **SCS HCS HB 1020** and request the Senate to recede from its position or, failing to do so, grant the House a conference was withdrawn.

Representative Lakin moved that **SCS HCS HB 1020** be placed on the Informal Calendar.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HB 1301 and 1298: Representatives McLuckie, Kelly (27), May (108), McClelland and Ostmann.

HB 905: Representatives Rizzo, Troupe, Scheve, Kelley (47) and Ross.

THIRD READING OF SENATE BILLS

SB 664, relating to real estate/insurance, was taken up by Representative Hartzler (123).

Representative Hartzler (123) offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 664, page 3, section 381.412, line 1, by deleting all of said line and inserting in lieu of the following: "**381.412. 1. A**"; and

Further amend said bill, page 3, section 381.412, line 3, by deleting the word one and substituting in lieu thereof the following: "**two**".

On motion of Representative Hartzler (123), House Amendment No. 1 was adopted.

Representative Tate offered House Amendment No. 2.

Representative Hartzler (123) raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative O'Toole offered House Amendment No. 2.

House Amendment No. 2

AMEND Senate Bill No. 664, Page 4, section 381.412, line 36, by inserting after all of said line the following:

"Section 1. 1. When required, an inspection for evidence of wood destroying insects inrds "or in use"

real estate transactions shall be performed by a certified commercial applicator or by aects inrds "or in use"

person working under the direct supervision of a certified commercial applicator, licensed toects inrds "or in use"

perform termite pest control pursuant to chapter 281, RSMo.

2. No person shall hold himself or herself out as an inspector for evidence of wood destroying insects in real estate transactions unless such person is a certified commercial applicator or a person working under the direct supervision of a certified commercial applicator, licensed to perform termite pest control pursuant to chapter 281, RSMo. Any person who violates the provisions of this section shall be subject to a fine of not less than two hundred fifty dollars but not more than five hundred dollars."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative O'Toole, House Amendment No. 2 was adopted.

Representative Treadway offered House Amendment No. 3.

House Amendment No. 3

AMEND Senate Bill No. 664, Page 4, Section 381.412, by inserting after said section, the following:

Section 1. For purposes of sections 1 to 16 of this act, the following terms mean:

(1) "Adverse material fact", a fact related to the physical condition of the property not reasonably ascertainable or known to a party which affects the value of the property;

(2) "Affiliated licensee", any broker or salesperson who works under the supervision of a designated broker;

(3) "Agent", a person or entity acting under the provisions of chapter 339, RSMo;

(4) "Broker disclosure form", the current form prescribed by the commission for presentation to a seller, landlord, buyer or tenant who has not entered into a written agreement for brokerage services;

(5) "Brokerage relationship", the relationship created between a designated broker, the broker's affiliated licensees, and a client relating to the performance of services of a broker as defined in section 339.010, RSMo, and sections 1 to 16 of this act;

(6) "Client", a seller, landlord, buyer, or tenant who has entered into a brokerage relationship with a licensee pursuant to sections 1 to 16 of this act;

(7) "Commission", the Missouri real estate commission;

(8) "Confidential information", information made confidential by sections 1 to 16 of this act or any other statute or regulation, or written instructions from the client unless the information is made public or becomes public by the words or conduct of the client to whom the information pertains or by a source other than the licensee;

(9) "Customer", a seller, landlord, buyer, or tenant in a real estate transaction in which a licensee is involved but who has not entered into a brokerage relationship with a licensee;

(10) "Designated agent", a licensee named by a designated broker as the limited agent of a client as provided for in section 12 of this act;

(11) "Designated broker", the individual licensed as a broker who is appointed by a partnership, association, limited liability corporation, or a corporation engaged in the real estate brokerage business to be responsible for the acts of the partnership, association, limited liability corporation, or corporation. Every real estate partnership, association, or limited liability corporation, or corporation shall appoint a designated broker;

(12) "Dual agent", a limited agent who, with the written consent of all parties to a contemplated real estate transaction, has entered into a brokerage relationship with and therefore represents both the seller and buyer or both the landlord and tenant;

(13) "Licensee", a real estate broker or salesperson as defined in section 339.010, RSMo;

(14) "Limited agent", a licensee whose duties and obligations to a client are those set forth in sections 3 to 5 of this act;

(15) "Ministerial acts", those acts that a licensee may perform for a person that are informative in nature and do not rise to the level of active representation on behalf of a person. Examples of these acts include, but are not limited to:

(a) Responding to telephone inquiries by consumers as to the availability and pricing of brokerage services;

(b) Responding to telephone inquiries from a person concerning the price or location of property;

(c) Attending an open house and responding to questions about the property from a consumer;

(d) Setting an appointment to view property;

(e) Responding to questions of consumers walking into a licensee's office concerning brokerage services offered on particular properties;

(f) Accompanying an appraiser, inspector, contractor, or similar third party on a visit to a property;

(g) Describing a property or the property's condition in response to a person's inquiry;

(h) Showing a customer through a property being sold by an owner on his or her own behalf; or

(i) Referral to another broker or service provider;

(16) "Single agent", a licensee who has entered into a brokerage relationship with and therefore represents only one party in a real estate transaction. A single agent may be one of the following:

(a) "Buyer's agent", which shall mean a licensee who represents the buyer in a real estate transaction;

(b) "Seller's agent", which shall mean a licensee who represents the seller in a real estate transaction; and

(c) "Landlord's agent", which shall mean a licensee who represents a landlord in a leasing transaction;

(d) "Tenant's agent", which shall mean a licensee who represents the tenant in a leasing transaction;

(17) "Subagent", a designated broker, together with the broker's appointed agents, engaged by another designated broker to act as a limited agent for a client. A subagent owes the same obligations and responsibilities to the client pursuant to section 3 or 4 of this act as does the client's designated broker.

Section 2. 1. A licensee's general duties and obligations arising from the limited agency relationship shall be disclosed in writing to the seller and the buyer or to the landlord and the tenant pursuant to sections 6 to 8 of this act. Alternatively, when engaged in any of the activities enumerated in section 339.010, RSMo, a licensee may act as an agent in any transaction in accordance with a written agreement as described in section 8 of this act.

2. A licensee shall be considered a buyer's or tenant's limited agent unless:

(1) The designated broker enters into a written seller's agent or landlord's agent agreement with the party to be represented pursuant to subsection 2 of section 8 of this act;

(2) The designated broker enters into a subagency agreement with another designated broker pursuant to subsection 5 of section 8 of this act;

(3) The designated broker enters into a written agency agreement pursuant to subsection 6 of section 8 of this act; or

(4) The designated broker is performing ministerial acts.

3. Sections 1 to 16 of this act do not obligate any buyer or tenant to pay compensation to a designated broker unless the buyer or tenant has entered into a written agreement with the designated broker specifying the compensation terms in accordance with subsection 3 of section 8 of this act.

4. A licensee may work with a single party in separate transactions pursuant to different relationships, including, but not limited to, selling one property as a seller's agent and working with that seller in buying another property as a buyer's agent or as a subagent if the licensee complies with sections 1 to 16 of this act in establishing the relationships for each transaction.

Section 3. 1. A licensee representing a seller or landlord as a seller's agent or a landlord's agent shall be a limited agent with the following duties and obligations:

(1) To perform the terms of the written agreement made with the client;

(2) To exercise reasonable skill and care for the client;

(3) To promote the interests of the client with the utmost good faith, loyalty, and fidelity, including:

(a) Seeking a price and terms which are acceptable to the client, except that the licensee shall not be obligated to seek additional offers to purchase the property while the property is subject to a contract for sale or to seek additional offers to lease the property while the property is subject to a lease or letter of intent to lease;

(b) Presenting all written offers to and from the client in a timely manner regardless of whether the property is subject to a contract for sale or lease or a letter of intent to lease;

(c) Disclosing to the client all adverse material facts actually known or that should have been known by the licensee; and

(d) Advising the client to obtain expert advise as to material matters about which the licensee knows but the specifics of which are beyond the expertise of the licensee;

(4) To account in a timely manner for all money and property received;

(5) To comply with all requirements of sections 1 to 16 of this act, subsection 2 of

section 339.100, RSMo, and any rules and regulations promulgated pursuant to those sections; and

(6) To comply with any applicable federal, state, and local laws, rules, regulations, and ordinances, including fair housing and civil rights statutes and regulations.

2. A licensee acting as a seller's or landlord's agent shall not disclose any confidential information about the client unless disclosure is required by statute, rule or regulation or failure to disclose the information would constitute a misrepresentation or unless disclosure is necessary to defend the affiliated licensee against an action of wrongful conduct in an administrative or judicial proceeding or before a professional committee. No cause of action shall arise against a licensee acting as a seller's or landlord's agent for making any required or permitted disclosure.

3. A licensee acting as a seller's or landlord's agent owes no duty or obligation to a customer, except that a licensee shall disclose to any customer all adverse material facts actually known or that should have been known by the licensee. The adverse material facts may include facts pertaining to:

(1) Environmental hazards affecting the property;

(2) The physical condition of the property;

(3) Material defects in the property;

(4) Material defects in the title to the property;

(5) Material limitation on the client's ability to perform under the terms of the contract.

A seller's or landlord's agent owes no duty to conduct an independent inspection of the property for the benefit of the customer and owes no duty to independently verify the accuracy or completeness of any statement made by the client or any independent inspector.

4. A seller's or landlord's agent may show alternative properties not owned by the client to prospective buyers or tenants and may list competing properties for sale or lease without breaching any duty or obligation to the client.

5. A seller or landlord may agree in writing with a seller's or landlord's agent that other designated brokers may be retained and compensated as subagents. Any designated broker acting as a subagent on the seller's or landlord's behalf shall be a limited agent with the obligations and responsibilities set forth in subsections 1 to 4 of this section.

Section 4. 1. A licensee representing a buyer or tenant as a buyer's or tenant's agent shall be a limited agent with the following duties and obligations:

(1) To perform the terms of any written agreement made with the client;

(2) To exercise reasonable skill and care for the client;

(3) To promote the interests of the client with the utmost good faith, loyalty, and fidelity, including:

(a) Seeking a price and terms which are acceptable to the client, except that the licensee shall not be obligated to seek other properties while the client is a party to a contract to purchase property or to a lease or letter of intent to lease;

(b) Presenting all written offers to and from the client in a timely manner regardless of whether the client is already a party to a contract to purchase property or is already a party to a contract or a letter of intent to lease;

(c) Disclosing to the client adverse material facts actually known or that should have been known by the licensee; and

(d) Advising the client to obtain expert advice as to material matters about which the licensee knows but the specifics of which are beyond the expertise of the licensee;

(4) To account in a timely manner for all money and property received;

(5) To comply with all requirements of sections 1 to 16 of this act, subsection 2 of section 339.100, RSMo, and any rules and regulations promulgated pursuant to those sections; and

(6) To comply with any applicable federal, state, and local laws, rules, regulations, and ordinances, including fair housing and civil rights statutes or regulations.

2. A licensee acting as a buyer's or tenant's agent shall not disclose any confidential information about the client unless disclosure is required by statute, rule, or regulation or failure to disclose the information would constitute a misrepresentation or unless disclosure is necessary to defend the affiliated licensee against an action of wrongful conduct in an administrative or judicial proceeding or before a professional committee. No cause of action for any person shall arise against a licensee acting as a buyer's or tenant's agent for making any required or permitted disclosure.

3. A licensee acting as a buyer's or tenant's agent owes no duty or obligation to a customer, except that the licensee shall disclose to any customer all adverse material facts actually known or that should have been known by the licensee. The adverse material facts may include facts concerning the client's financial ability to perform the terms of the transaction. A buyer's or tenant's agent owes no duty to conduct an independent investigation of the client's financial condition for the benefit of the customer and owes no duty to independently verify the accuracy or completeness of statements made by the client or any independent inspector.

4. A buyer's or tenant's agent may show properties in which the client is interested to other prospective buyers or tenants without breaching any duty or obligation to the client. This section shall not be construed to prohibit a buyer's or tenant's agent from showing competing buyers or tenants the same property and from assisting competing buyers or tenants in attempting to purchase or lease a particular property.

5. A client may agree in writing with a buyer's or tenant's agent that other designated brokers may be retained and compensated as subagents. Any designated broker acting on the buyer's or tenant's behalf as a subagent shall be a limited agent with the obligations and responsibilities set forth in subsections 1 to 4 of this section.

Section 5. 1. A licensee may act as a dual agent only with the consent of all parties to the transaction. Consent shall be presumed by a written agreement pursuant to section 8 of this act.

2. A dual agent shall be a limited agent for both the seller and buyer or the landlord and tenant and shall have the duties and obligations required by sections 3 and 4 of this act unless otherwise provided for in this section.

3. Except as provided in subsections 4 and 5 of this section, a dual agent may disclose any information to one client that the licensee gains from the other client if the information is material to the transaction unless it is confidential information as defined in section 1 of this act.

4. The following information shall not be disclosed by a dual agent without the consent of the client to whom the information pertains:

(1) That a buyer or tenant is willing to pay more than the purchase price or lease rate offered for the property;

(2) That a seller or landlord is willing to accept less than the asking price or lease rate for the property;

(3) What the motivating factors are for any client buying, selling, or leasing the property;

(4) That a client will agree to financing terms other than those offered; and

(5) The terms of any prior offers or counter offers made by any party.

5. A dual agent shall not disclose to one client any confidential information about the other client unless the disclosure is required by statute, rule, or regulation or failure to disclose the information would constitute a misrepresentation or unless disclosure is necessary to defend the affiliated licensee against an action of wrongful conduct in an administrative or judicial proceeding or before a professional committee. No cause of action for any person shall arise against a dual agent for making any required or permitted disclosure. A dual agent does not terminate the dual agency relationship by making any required or permitted disclosure.

6. In a dual agency relationship there shall be no imputation of knowledge or information between the client and the dual agent or among persons within an entity engaged as a dual agent.

Section 6. 1. Every designated broker shall adopt a written policy which identifies and describes the

relationships in which the designated broker and affiliated licensees may engage with any seller, landlord, buyer, or tenant as part of any real estate brokerage activities.

2. A designated broker shall not be required to offer or engage in more than one of the brokerage relationships enumerated in section 2 of this act.

Section 7. 1. At the earliest practicable opportunity during or following the first substantial contact by the designated broker or the affiliated licensees with a seller, landlord, buyer, or tenant who has not entered into a written agreement for services as described in subsection 15 of section 1 of this act, the licensee shall provide that person with a written copy of the current broker disclosure form which has been prescribed by the commission. If the prospective customer refuses to sign the disclosure, the licensee shall set forth, sign and date a written explanation of the facts of the refusal and the explanation shall be retained by the licensee's broker.

2. When a seller, landlord, buyer, or tenant has already entered into a written agreement for services with a designated broker, no other licensee shall be required to make the disclosures required by this section.

3. Before engaging in any of the activities enumerated in section 339.010, RSMo, a licensee working as an agent or subagent of the seller or landlord with a buyer or tenant who is not represented by a licensee shall provide to the customer the current broker disclosure form prescribed by the commission.

4. Before engaging in any of the activities enumerated in section 339.010, RSMo, a licensee working as an agent or subagent of the buyer or tenant with a seller or landlord who is not represented by a licensee shall provide to the customer the current broker disclosure form prescribed by the commission.

5. The written disclosure required pursuant to subsections 1, 3, and 4 of this section shall contain a signature block for the client or customer to acknowledge receipt of the disclosure. The customer's acknowledgment of disclosure shall not constitute a contract with the licensee. If the customer refuses to sign the disclosure, the licensee shall set forth, sign and date a written explanation of the facts of the refusal and the explanation shall be retained by the licensee's broker.

6. Disclosures made in accordance with sections 1 to 16 of this act shall be sufficient as a matter of law to disclose brokerage relationships to the public.

Section 8. 1. All written agreements for brokerage services on behalf of a seller, landlord, buyer, or tenant shall be entered into by the designated broker on behalf of that broker and affiliated licensees, except that the designated broker may authorize affiliated licensees in writing to enter into the written agreements on behalf of the designated broker.

2. Before engaging in any of the activities enumerated in section 339.010, RSMo, a designated broker intending to establish a limited agency relationship with a seller or landlord shall enter into a written agency agreement with the party to be represented. The agreement shall include a licensee's duties and responsibilities specified in section 3 of this act and the terms of compensation and shall specify whether an offer of subagency may be made to any other designated broker.

3. Before or while engaging in any acts enumerated in section 339.010, RSMo, except ministerial acts defined in section 1 of this act, a designated broker acting as a single agent for a buyer or tenant shall enter into a written agency agreement with the buyer or tenant. The agreement shall include a licensee's duties and responsibilities specified in section 4 of this act and the terms of compensation and shall specify whether an offer of subagency may be made to any other designated broker.

4. Before engaging in any of the activities enumerated in 339.010, RSMo, a designated broker intending to act as a dual agent shall enter into a written agreement with the seller and buyer or landlord and tenant permitting the designated broker to serve as a dual agent. The agreement shall include a licensee's duties and responsibilities specified in section 5 of this act and the terms of compensation.

5. Before engaging in any of the activities enumerated in section 339.010, RSMo, a designated broker intending to act as a subagent shall enter into a written agreement with the designated broker for the client. If a designated broker has made a unilateral offer of subagency, another designated broker can enter into the subagency relationship by the act of disclosing to the customer that he or she is a subagent of the client.

6. Nothing contained in this section shall prohibit the public from entering into written contracts with any broker which contain duties, obligations, or responsibilities which are in addition to those specified in this section.

Section 9. 1. The relationships set forth in this section commence on the effective date of the real estate broker's agreement and continue until performance, completion, termination or expiration of that agreement.

2. A real estate broker and an affiliated licensee owe no further duty or obligation after termination, expiration, completion or performance of the brokerage agreement, except the duties of:

(1) Accounting in a timely manner for all money and property related to, and received during, the relationship; and

(2) Treating as confidential information provided by the client during the course of the relationship that may

reasonably be expected to have a negative impact on the client's real estate activity unless:

(a) The client to whom the information pertains grants written consent;

(b) Disclosure of the information is required by law;

(c) The information is made public or becomes public by the words or conduct of the client to whom the information pertains or from a source other than the real estate brokerage or the affiliated licensee; or

(d) Disclosure is necessary to defend the designated broker or an affiliated licensee against an action of wrongful conduct in an administrative or judicial proceeding or before a professional committee.

Section 10. 1. In any real estate transaction, the designated broker's compensation may be paid by the seller, the landlord, the buyer, the tenant, or a third party or by sharing the compensation between designated brokers.

2. Payment of compensation by itself shall not establish an agency relationship between the party who paid the compensation and the designated broker or any affiliated licensee.

3. A seller or landlord may agree that a designated broker or subagent may share with another designated broker the compensation paid by the seller or landlord.

4. A buyer or tenant may agree that a designated broker or subagent may share with another designated broker the compensation paid by the buyer or tenant.

5. A designated broker may be compensated by more than one party for services in a transaction with the knowledge of all the parties at or before the time of entering into a written contract to buy, sell, or lease.

Section 11. 1. A client shall not be liable for a misrepresentation of such client's limited agent or subagent arising out of the limited agency agreement unless the client knew or should have known of the misrepresentation.

2. A licensee who is serving as a limited agent or subagent of a client shall not be liable for misrepresentation of such licensee's client arising out of the brokerage agreement unless the licensee knew or should have known of the misrepresentation.

3. A licensee who is serving as a limited agent of a client shall not be liable for a misrepresentation of any subagent unless the licensee knew or should have known of the misrepresentation. A broker shall not be liable for misrepresentation of an affiliated licensee unless the broker knew or should have known of the misrepresentation.

4. A licensee who is serving as a subagent shall not be liable for a misrepresentation of the limited agent unless the subagent knew or should have known of the misrepresentation.

Section 12. A designated broker entering into a limited agency agreement with a client for the listing of property or for the purpose of representing that person in the buying, selling, exchanging, renting, or leasing of real estate may appoint in writing affiliated licensees as designated agents to the exclusion of all other affiliated licensees. A designated broker shall not be considered to be a dual agent solely because such broker makes an appointment under this section, except that any licensee who personally represents both the seller and buyer or both the landlord and tenant in a particular transaction shall be a dual agent and shall be required to comply with the provisions governing dual agents.

Section 13. 1. All designated agents to the extent allowed by their licenses shall have the same duties and responsibilities to the client and customer pursuant to sections 3 to 5 of this act as the designated broker except as provided in section 12 of this act.

2. All affiliated licensees have the same protections from vicarious liability as provided in sections 1 to 16 of this act as does their designated broker.

Section 14. Sections 1 to 16 of this act shall supersede the duties and responsibilities of the parties under the common law, including fiduciary responsibilities of an agent to a principal, except as provided in subsection 6 of section 8 of this act. Sections 1 to 16 of this act shall be construed broadly to accomplish their purposes.

Section 15. The commission shall adopt and promulgate rules and regulations to carry out sections 1 to 16 of this act. No rule or portion of a rule promulgated pursuant to the authority of sections 1 to 16 of this act shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

Section 16. Sections 1 to 16 of this act shall become effective on September 1, 1997.

And further amend enacting clause accordingly.

Representative Klumb raised a point of order that House Amendment No. 3 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Harlan offered House Amendment No 1 to House Amendment No. 3.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to Senate Bill No. 664, page 9, section 13, line 24, by deleting the number "16" on said line and inserting in lieu thereof the number "**15**"; and

Further amend said bill, page 9, section 14, lines 25 through 28, by deleting all of said lines and renumbering the sections accordingly.

SB 664, as amended, with House Amendment No. 1 to House Amendment No. 3 and House Amendment No. 3, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HB 1368**, entitled:

An act to repeal sections 288.050, 288.070, 288.100, 288.110, 288.113, 288.130, 288.140, 288.160, 288.190, 288.200, 288.380, 347.015 and 347.187, RSMo 1994, and sections 288.030, 288.032, 288.036, 288.114, 351.488 and 358.150, RSMo Supp. 1995, relating to streamlining of employment security programs, and to enact in lieu thereof eighteen new sections relating to the same subject, with an effective date for a certain section.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4

Senate Amendment No. 1

Amend Senate Committee Substitute for House Substitute for House Bill No. 1368, Pages 22-25, Section 288.110, Lines 1-106 by removing all of said section from the bill; and also Section B, Page 43 by striking all of said section from the bill.

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1368, Page 1, In the Title, Line 3, by inserting after the figure "288.380" the following: ", 327.401"; and

Further amend said bill, Page 1, In the Title, Lines 5-6, by deleting all of said line and inserting in lieu thereof the following: "and 358.150, RSMo Supp. 1995, relating to regulation of businesses, and to enact in lieu thereof nineteen"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the figure "288.380" the following: ", 327.401"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "eighteen" and inserting in lieu thereof the following: "nineteen"; and

Further amend said bill, Page 1, Section A, Line 7, by inserting after the figure "288.380," the following: "327.401," and

Further amend said bill, Page 38, Section 288.380, Line 236, by inserting after all of said line the following:

"327.401. 1. The right to engage in the practice of architecture or to practice as a professional engineer or to practice as a land surveyor shall be deemed a personal right, based upon the qualifications of the individual, evidenced by his **or her** certificate of registration and shall not be transferable; but any registered architect or any registered professional engineer or any registered land surveyor may practice his **or her** profession through the medium of, or as a member or as an employee of, a partnership or corporation if the plans, specifications, estimates, plats, reports, surveys or other like documents or instruments of the partnership or corporation are signed and stamped with the personal seal of the registered architect or registered professional engineer or registered land surveyor by whom or under whose personal direction the same were prepared and that the registered architect or registered engineer or registered land surveyor who affixes his **or her** signature and personal seal to any such plans, specifications, estimates, plats, reports or other documents or instruments shall be personally and professionally responsible therefor.

2. Any domestic corporation formed under the [general and business corporation law or under the professional] corporation law of this state, or any foreign corporation, now or hereafter organized and having as one of its purposes the practicing of architecture or professional engineering or land surveying and any existing corporation which amends its charter to propose to practice architecture or professional engineering

or land surveying shall obtain a certificate of authority for each profession named in the articles of incorporation **or articles of organization** from the board which shall be renewed in accordance with the provisions of section 327.171 or 327.261 or 327.351, as the case may be, and from and after the date of such certificate of authority and while the authority or a renewal thereof is in effect, may offer and render architectural or professional engineering or land surveying services in this state if:

(1) At all times during the authorization or any renewal thereof the directors of the corporation shall have assigned responsibility for the proper conduct of all its architectural or professional engineering or land surveying activities in this state to an architect registered and authorized to practice architecture in this state or to a professional engineer registered and authorized to practice engineering in this state or to a land surveyor registered and authorized to practice land surveying in this state, as the case may be; and

(2) The person or persons who is or are personally in charge and supervises or supervise the architectural or professional engineering or land surveying activities, as the case may be, of any such corporation in this state shall be registered and authorized to practice architecture or professional engineering or land surveying, as the case may be, as provided in this chapter; and

(3) The corporation pays such fees for the certificate of authority, renewals or reinstatements thereof as are required.

3. As used in this section, the term "corporation" means any general business corporation, or limited liability company.".

Senate Amendment No. 3

Amend Senate Committee Substitute for House Substitute for House Bill No. 1368, Page 43, Section 358.150, Line 41 by inserting immediately after said line the following:

"**Section 1. Notwithstanding any other provision of law to the contrary, insurance companies providing coverage pursuant to chapter 287, RSMo, shall provide the option for a limited liability company, as defined in subdivision (10) of section 347.015, to insure employees other than members and other persons in an ownership capacity, and also shall provide the option to insure employees, members and other persons in an ownership capacity.**"; and

Further amend the title and enacting clause accordingly.

Senate *Amendment No. 4*

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1368, Page 30, Section 288.190, Line 63, by inserting after all of said line the following:

"**5. Any party subject to any decision of an appeals tribunal pursuant to this chapter has a right to counsel and shall be notified prior to a hearing conducted pursuant to this chapter that a decision of the appeals tribunal is presumptively conclusive for the purposes of this chapter.**".

In which the concurrence of the House is respectfully requested.

THIRD READING OF SENATE BILL - INFORMAL

SCS HCS HB 1020, relating to appropriations, was again taken up by Representative Lakin.

On motion of Representative Lakin, **SCS HCS HB 1020** was adopted by the following vote:

AYES: 090

Auer	Backer	Barnett 4	Barry 100	Bartelsmeyer
Bland	Bonner	Boucher	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Clayton
Copeland	Daniels 41	Davis	Days	Donovan
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Franklin	Garnett	Gaskill	Goward	Gratz
Green 123	Griesheimer	Hagan-Harrell	Harlan	Hartzler
Heckemeyer	Hosmer	Howerton	Jacob	Kelly 27
Klumb	Koller	Kreider	Lakin	Leake
Legan 133	Luetkenhaus	Lumpe	Marshall 26	Marshall
May 108	Mays 50	McBride	Montgomery	Morgan
Murray 69	Naeger	O'Connor	O'Toole	Overschmidt
Pauley	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Sears 1	Shear 83	Sheldon 104	Shelton 57	Smith
Sombart	Steen	Stokan	Stoll	Summers

Tate	Thomason 163	Treadway	Vogel	Whiteside
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 049

Akin	Alter	Ballard	Bennett 15	Boatright
Broach	Brown	Cierpiot	Crump 152	Edwards-Pavia
Enz	Evans	Foster	Froelker	Gibbons
Graham	Gross	Hand	Hartzler 124	Hegeman
Hendrickson	Hohulin	Hoppe	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Levin	Liese
Linton	Lograsso	Long	Loudon	Marble
McClelland	Murphy	Murray 135	Nordwald	Oetting
Ostmann	Pouche	Pryor	Ridgeway	Schwab
Secrest	Shields	Van Zandt	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 022

Bray 84	Cooper	Crum 112	Daniel 42	Dougherty
Elliott	Ford	Gunn	Hall	Hickey
McLuckie	O'Neill	Prost	Ribaudo	Scott
Skaggs	Surface	Thompson 37	Troupe	Wannenmacher
Ward	Wooten			

VACANCY: 002

On motion of Representative Lakin, **SCS HCS HB 1020** was truly agreed to and finally passed by the following vote:

AYES: 111

Alter	Auer	Backer	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Bland	Bonner	Boucher
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Clayton	Copeland	Crump 152
Daniels 41	Davis	Days	Donovan	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Franklin
Garnett	Gaskill	Goward	Graham	Gratz
Green	Griesheimer	Gross	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	Montgomery	Morgan
Murray 69	Murray 135	Naeger	O'Connor	O'Toole
Ostmann	Overschmidt	Pauley	Pouche	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Smith	Sombart	Steen	Stokan	Stoll
Summers	Tate	Treadway	Van Zandt	Vogel
Whiteside	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 026

Akin	Ballard	Boatright	Broach	Cierpiot
Edwards-Pavia	Enz	Evans	Foster	Froelker
Gibbons	Hohulin	Hoppe	Keeven	Kelley 47
Liese	Linton	Lograsso	Long	Loudon
Murphy	Nordwald	Oetting	Pryor	Schwab

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 024

Bray 84	Cooper	Crum 112	Daniel 42	Dougherty

Elliott	Ford	Gunn	Hagan-Harrell	Hall
Hickey	McLuckie	O'Neill	Prost	Ribaudo
Scott	Skaggs	Surface	Thomason 163	Thompson 37
Troupe	Wannenmacher	Ward	Wooten	

VACANCY: 002

The Speaker declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Jacob moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT
ON SENATE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 974

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Substitute for Senate Committee Substitute for House Bill No. 974, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 974;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 974;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Wayne Crump	/s/ Betty Sims
/s/ Robert Clayton	/s/ Joe Moseley
/s/ Dale Whiteside	/s/ Bill McKenna
/s/ Chuck Gross	/s/ Roseann Bentley
/s/ Steve Gaw	/s/ Harry Wiggins

REFERRAL OF HOUSE RESOLUTION

The following House Resolution was referred to the Committee indicated:

HR 1228 - Accounts, Operations and Finance

COMMITTEE REPORTS

Committee on Tourism, Recreation and Cultural Affairs, Chairman Overschmidt reporting:

Mr. Speaker: Your Committee on Tourism, Recreation and Cultural Affairs, to which was referred **SB 695**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Workers Compensation and Employment Security, Chairman O'Neill reporting:

Mr. Speaker: Your Committee on Workers Compensation and Employment Security to which was referred **SB 804**, begs leave to report it has examined the same and recommends that it **Do Pass.**

COMMUNICATION FROM THE SECRETARY OF STATE

TO THE SPEAKER OF THE HOUSE

Honorable Steve Gaw

Jefferson City, MO

Sir:

I, Rebecca McDowell Cook, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 49th Legislative District in the State of Missouri, on the 7th day of May, 1996, as provided by law, the following named person was elected to the office of State Representative, 49th Legislative District as shown by the election results certified to this office by the Election Authorities of the 49th Legislative District.

Name	Office

Ralph A. Monaco
7013 Englewood
Raytown, MO 64133

State Representative
49th Legislative District

IN WITNESS WHEREOF, I have hereunto set my
hand and affixed the seal of my office this
10th day of May, 1996.

/s/ Rebecca McDowell Cook
Secretary of State

OATH OF OFFICE

Representative Ralph A. Monaco advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Steve Gaw, Speaker of the Missouri House of Representatives.

The following member's presence was noted: Wannenmacher.

Seventy-second Day-Friday, May 10, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 12:00 noon, Monday, May 13, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventieth Day, Wednesday, May 8, 1996, page 27, line 5, by deleting the words "Do Pass" and inserting in lieu thereof the following: "the House Comittee Substitute Do Pass".

Correct House Journal, Seventy-First Day, Thursday, May 9, 1996, pages 4 and 5, roll call, by showing Representatives Howerton, Sallee and Broach voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representatives Barry and Sallee voting "aye" rather than "absent with leave".

Page 8, roll call, by showing Representative Sallee voting "aye" rather than "absent with leave".

Page 30, roll call, by showing Representative Scheve voting "aye" rather than "absent with leave".

Page 34, roll call, by showing Representative Luetkenhaus voting "aye" rather than "absent with leave".

Page 38, roll call, by showing Representative Akin voting "no" rather than "absent with leave".

Pages 38 and 39, roll call, by showing Representative Long voting "no" rather than "absent with leave".

Page 40, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 40 and 41, roll call, by showing Representative Luetkenhaus voting "no" rather than "absent with leave".

Pages 40 and 41, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 41 and 42, roll call, by showing Representative Farmer voting "aye" rather than "absent with leave".

Pages 54 and 55, roll call, by showing Representative Keeven voting "no" rather than "absent with leave".

Pages 54 and 55, roll call, by showing Representative Scheve voting "aye" rather than "absent with leave".

Pages 65 and 66, roll call, by showing Representative Keeven voting "aye" rather than "absent with leave".

Pages 65 and 66, roll call, by showing Representative May (108) voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Tuesday, May 14, 1996. Room 414 upon morning adjournment.

BUDGET

Monday, May 13, 1996, 11:00 am. Hearing Room 9. Executive Session

To be considered - SB 719, SB 869

HOUSE CALENDAR

SEVENTY-THIRD DAY, MONDAY, MAY 13, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILL FOR SECOND READING

SB 895

Seventy-second Day-Friday, May 10, 1996

SENATE BILLS FOR THIRD READING

1 SB 664, as amended, HA 1 to HA 3 & HA 3 pending - Hartzler (123)
2 HCS SB 888, HS, as amended, HA 16 pending - Jacob
3 HCS SB 769 - Canuteson
4 SB 589 - Dougherty
5 SB 757 - Sears (1)
6 SB 525, HCA 1 - Backer
7 SB 526 - Harlan
8 SS SB 981, HCA 1,HCA 2 & HCA 3, E.C. - Farmer
9 HCS SS SCS SB 723 & 891 - Rizzo
10 HCS SB 572 - Morgan
11 HCS SCS SB 884 & 841, (Budget Fiscal 5-8-96) - Witt
12 HCS SS SS SB 488 - Dougherty
13 HCS SS SCS SB 722, (Budget Fiscal 5-8-96) - Hosmer
14 HCS SS SCS SB 869, (Budget Fiscal 5-9-96) - Witt
15 SCS SB 719, HCA 1 (Budget Fiscal 5-9-96) - Lakin
16 SB 661 - McBride
17 SB 876, HCA 1 - Bray
18 SB 787 - Montgomery
19 SB 500 - Lumpe
20 HCS SB 634 - Smith
21 SB 805 - Bland

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

HCS SB 904, Part I, as amended, adopted - Wiggins

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1098, SA 1, SA 1 to SA 2, SA 2,as amended, - Goward

HB 773, SCA 1 SA 2 - Backer

SCS HCS HB 1376 & 1501 - Fitzwater

HB 979, SCA 1 - Crump

SCS HS HB 1368, as amended - May (108)

BILL CARRYING REQUEST MESSAGES

HCS HB 991, SCAs 1, 2, 3, 4, SAs 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14,

15 req. Sen recede or grant House conf. - Koller

BILLS IN CONFERENCE

CCR SS SCS HB 974 - Crump

SB 858, as amended - Carter

HCS HB 781, as amended - Stokan

HB 905, as amemded - Rizzo

SCS HS HCS HB 1301 & 1298, as amended, E.C. - McLuckie

Seventy-second Day-Friday, May 10, 1996

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HOUSE RESOLUTION

HR 353, (2-29-96, pgs. 16 & 17) - Vogel

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SEVENTY-THIRD DAY, Monday, May 13, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"Where do you live Teacher... come and see." (Jn. 1:38-39).

I was walking through the auditorium of a college campus recently and the six year-old son of a student asked me, "are you a student?" I stopped for a moment and then said, "yes, those of us who teach must also be students" and then to the adults around him I said, "wisdom is finding out how little we actually know."

Gracious God, today I pray for that wisdom that pushes me to always be a student, seeking information and insights from whatever source is available, but also taking time out for long silences where the words cease and you speak from the depths of my soul. Bless this House with that same spirit. Make us always seekers, never being satisfied that we alone know all that is to be known about the marvels of your world. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ashley Miller, Marcia Pickup, Jeremy Freeman, Alexander Fak, Amanda Everett, Adrienne Wade, Damond Riddle, Kelly York, Jennie Tilson and John Morrison.

The Journal of the seventy-second day was approved as corrected.

RESOLUTIONS

Representative Lograsso offered House Resolution No. 1249, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dougherty offered House Resolution No. 1250, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Williams (121) offered House Resolution No. 1251, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hegeman offered House Resolution No. 1252, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1253, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution Nos. 1254 and 1255, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Backer offered House Resolution No. 1256, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Gratz offered House Resolution No. 1257, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hohulin offered House Resolution No. 1258, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SECOND READING OF SENATE BILL

SB 895 was read the second time.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS HB 1002, CCS HB 1003, CCS HB 1004, CCS HB 1005, CCS HB 1006, CCS HB 1007, CCS HB 1008, CCS HB 1009, CCS #3 HB 1010, CCS HB 1011, CCS HB 1012, SCS HCS HB 1013, HB 1019 and HB 937**, begs leave to report that it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HCS HB 1020**, begs leave to report it has examined the same and finds it to be truly and correctly printed as agreed to and finally passed.

REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

HCR 14 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

SCR 29 - Miscellaneous Bills and Resolutions

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 895 - Judiciary and Ethics

HOUSE BILLS WITH SENATE AMENDMENTS

HB 773, with Senate Committee Amendment No. 1 and Senate Amendment No. 2, relating to operator's license, was taken up by Representative Backer.

On motion of Representative Backer, the House concurred in **Senate Committee Amendment No. 1 and Senate Amendment No. 2**, by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	
Heckemeyer				
Hegeman	Hendrickson	Hickey	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	
Luetkenhaus				
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco

Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Crump 152	Daniel 42	Goward	Hohulin
Hoppe	Morgan	Ribaudo	Secrest	

VACANCY: 001

On motion of Representative Backer, **HB 773, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown	Crump 152	Daniel 42	Goward	Gunn
Hagan-Harrell	Hohulin	Hoppe	Morgan	Ribaudo

Secrest

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Sears (1), title to the bill was agreed to.

Representative Bray moved that the vote by which the bill passed be reconsidered.

Representative Barry moved that motion lay on the table.

The latter motion prevailed.

SCS HCS HBs 1376 and 1501, relating to special education, was taken up by Representative Fitzwater.

On motion of Representative Fitzwater, **SCS HCS HBs 1376 and 1501** was adopted by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown	Daniel 42	Goward	Hohulin	Hoppe
Kelly 27	Morgan	Ribaudo	Secrest	Thompson 37

VACANCY: 001

On motion of Representative Fitzwater, **SCS HCS HBs 1376 and 1501** was truly agreed to and finally passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green

Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Barnett 4	Brown	Daniel 42	Goward	Hoppe
Morgan	Pauley	Ribaudo	Secrest	Thompson 37

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Crum (112), title to the bill was agreed to.

Representative Days (71) moved that the vote by which the bill passed be reconsidered.

Representative Dougherty moved that motion lay on the table.

The latter motion prevailed.

BILL IN CONFERENCE

CCR SS SCS HB 974, relating to sex offenders, was taken up by Representative Crump (152).

On motion of Representative Crump (152), **CCR SS SCS HB 974** was adopted by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy

Murray 69	Murray 135	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Daniel 42	Goward	Hoppe	Naeger

Secrest

VACANCY: 001

On motion of Representative Crump (152), **CCS SS SCS HB 974** was read the third time and passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Daniel 42	Goward	Hoppe	Naeger
Ribaudo	Secrest	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Tate, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 811, as amended**, and has taken up and passed **CCS HB 811**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HB 832, as amended**, and has taken up and passed **CCS HS HB 832**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCAs 1, 2, 3, 4, SAs 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14 and 15 to HCS HB 991** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HBs 1159, 842 and 799**, entitled:

An act to repeal sections 313.010, 313.020, 313.040, 313.055 and 313.057, RSMo 1994, relating to bingo, and to enact in lieu thereof six new sections relating to the same subject, with penalty provisions.

With Senate Amendments Nos. 1, 2 and 4.

Senate Amendment No. 1

Amend House Committee Substitute for House Bill No.1159 et al Page 2, Section 313.010, Line 12, by inserting immediately after the word "dollars" the following: "**per event**"; and further on line 14, by striking all of said line and inserting in lieu thereof the following: "**occasions annually.**"; and further on line 15, by striking all of said line; and further on said line 16, by striking the following: "dollars."; and further on line 21, by striking "subdivision (11)" and inserting in lieu thereof the following: "**subdivisions (11) and (14)**"; and

Further amend said bill, page 4, section 313.040, line 37, by striking "six months" and inserting in lieu thereof the following: "**one year**"; and

Further amend said bill, page 8, section 313.057, line 56, by inserting immediately after the word "supplier," the following: "**if timely filed and paid,**"; and

Further amend said page, section 1, line 5, by striking the word "game" and inserting in lieu thereof the word "**occasion**".

Senate Amendment No. 2

Amend House Committee Substitute for House Bills Nos. 1159, 842 and 799, Page 8, Section 313.057, Line 66, by inserting immediately after said line the following:

"313.842. There may be established an outpatient center which shall provide services for compulsive gamblers and their families in any city or county that licenses excursion gambling boats. As used in this section, "compulsive gambler" means a person who is chronically and progressively preoccupied with gambling and the urge to gamble. Such centers may be funded from the taxes collected and distributed to the city or county establishing the center under section 313.822. Such moneys shall be submitted to the state and credited to the "Compulsive Gamblers Fund", which is hereby established within the department of mental health. **Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.** The department of mental health shall administer all programs, either directly or by contract, for compulsive gamblers. Any such person or family of such person requesting services for compulsive gambling from the outpatient center must prove by a preponderance of the evidence that his or her chronic and preoccupation with gambling and the urge to gamble was exacerbated by this proposed legislation establishing riverboat gambling in this state."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

Amend House Committee Substitute for House Bills Nos. 1159, 842 and 799, Page 2, Section 313.010, Line 21, by inserting immediately thereafter the following:

"313.015. **1.** The commission shall issue a license for the conducting of bingo to any bona fide religious, charitable, fraternal, veteran or service organization or to any combination of eligible organizations, not to exceed five, which submits an application on a form prescribed by the director and which satisfies the director that such organization meets all of the requirements of sections 313.005 to 313.080. **The burden of proof is at all times on the applicant to demonstrate by clear and convincing evidence its suitability to be licensed.** Each license so issued shall expire at midnight one year from its date of issuance[, except that all licenses which are issued and in good standing on the June 28, 1994, shall remain valid until a new license is issued by the commission or until the current license is suspended or revoked by the commission pursuant to the provisions of section 313.070; however, all such licenses must be renewed, suspended or revoked within one year of June 28, 1994]. **The commission, in its sole discretion, may reopen licensure hearings for any licensee at any time.**

2. An applicant may hold only one license and that license may not be transferred or assigned to any other organization other than the organization named in the license. Each licensed organization shall pay to the director an annual**, nonrefundable license** fee of fifty dollars; provided, however, each licensed organization which awards to winners of bingo games prizes or merchandise having an aggregate retail value of five thousand dollars or less annually and less than one hundred dollars in any single day shall pay to the director an annual fee of ten dollars to be paid into the state treasury to the credit of the gaming commission bingo fund. The director may, upon application made by a county fair organization or by an organization qualified to receive a regular license, issue a special license authorizing such organization to conduct bingo for the period of any fair, picnic, festival or celebration conducted by such qualified organization not exceeding one week and which is held not more than once annually, and a special licensee shall be exempt from the provisions of subdivisions (7) and (11) of section 313.040. Each organization receiving a special license shall pay to the director a fee of twenty-five dollars, to be paid into the state treasury to the credit of the gaming commission bingo fund.

3. Any organization that obtains more than three special bingo licenses during any calendar year shall be required to file an annual report as required in section 313.045."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SB 560, as amended** , and requests that the House to recede from its position or failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 780, as amended** and has taken up and passed **HCS SB 780, as amended**.

SIGNING OF SENATE BILL

All other business of the House was suspended while **CCS #4 HCS SS SB 687** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

THIRD READING OF SENATE BILL

SB 664, as amended, with House Amendment No. 1 to House Amendment No. 3 and House Amendment No. 3, pending, relating to real estate/insurance, was again taken up by Representative Hartzler (123).

House Amendment No. 1 to House Amendment No. 3 was withdrawn.

Representative Harlan offered House Amendment No. 1 to House Amendment No. 3.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 3 to Senate Bill No. 664, page 9, section 13, line 25, by deleting lines 25 through 28, and inserting the following: "14. The Fiduciary Responsibilities of an agency to a principal are as provided to a principal are as provided in sections 1-16 of this act. However, the common law shall supersede with respect to agent liability for negligence, fraud, misrepresentation, or breach of contract."

On motion of Representative Harlan, House Amendment No. 1 to House Amendment No. 3 was adopted.

On motion of Representative Treadway, House Amendment No. 3, as amended, was adopted.

Representative Gratz offered House Amendment No. 4.

House Amendment No. 4 was withdrawn.

Representative Richardson offered House Amendment No. 4.

House Amendment No. 4 was withdrawn.

Representative Elliott offered House Amendment No. 4.

Representative May (108) raised a point of order that House Amendment No. 4 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Richardson offered House Amendment No. 4.

House Amendment No. 4

AMEND Senate Bill 664, page 6, by inserting at the end of said bill, section 375.020, by adding in subsection 2 after subsection (g) after the words "...compensation for services." the following:

(h) any course or program of instruction approved for use to meet professional continuing education in another Missouri profession, as required by law, which course or program relates to the topic of insurance.; and

Further amend the title accordingly.

Representative Hartzler (123) raised a point of order that House Amendment No. 4 is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Richardson, House Amendment No. 4 was adopted.

Representative Gross offered House Amendment No. 5.

House Amendment No. 5

AMEND Senate Bill No. 664, page 6, section 381.412, line 13, by adding after said line the following:

"Section 1. From and after July 1, 1997 it shall be unlawful for persons in this state to act as a real estate appraiser, or to directly or indirectly engage or assume to engage in the business of real estate appraisal or to advertise or hold themselves out as engaging in or conducting such business without first obtaining a license or certificate issued by the Missouri Real Estate Appraisers Commission under the provisions of this chapter.

Representative Thomason (163) offered House Amendment No. 1 to House Amendment No. 5.

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to Senate Bill No. 664, page 1, line 4, by deleting the words "or indirectly" from said line.

Representative Marshall (133) offered House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5.

House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5 was withdrawn.

Representative Marshall (133) offered House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5.

House Substitute Amendment No. 1

for

House Amendment No. 1

to

House Amendment No. 5

AMEND House Amendment No. 5 to Senate Bill No. 664, page 1, section 381.412, line 4, by deleting the following:

"or to directly or indirectly engage or assume to engage in the business of real estate appraisal"; and

Further amend same section line 4, by adding before the word "real" the word "licensed or certified"

On motion of Representative Marshall (133), House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 5 was adopted by the following vote:

AYES: 115

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Hall
Hand	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kreider	Lakin	Leake	Legan
Levin	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murray 135	Naeger	Nordwald
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Robirds	Ross	Sallee	Schilling	Schwab
Scott	Shear 83	Shelton 57	Shields	Sombart
Steen	Summers	Surface	Tate	Thomason 163
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 159	Wooten	Mr. Speaker

NOES: 038

Auer	Barry 100	Bland	Bonner	Daniel 42
Days	Dougherty	Foley	Gross	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hickey	Hosmer
Keeven	Kelly 27	Kissell	Klumb	Koller
Liese	May 108	Murphy	Murray 69	O'Connor
O'Neill	O'Toole	Reynolds	Rizzo	Scheve
Sheldon 104	Skaggs	Smith	Stokan	Stoll
Treadway	Williams 121	Witt		

PRESENT: 000

ABSENT WITH LEAVE: 009

Boucher	Brown	Goward	Hoppe	Ribaudo
Sears 1	Secrest	Thompson 37	Ward	

VACANCY: 001

House Amendment No. 5, as amended, was withdrawn.

On motion of Representative Hartzler (123), **SB 664, as amended,** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Bray 84	Broach	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hohulin	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108

Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 004

Barnett 4	Gunn	Hagan-Harrell	Heckemeyer	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Boucher	Brown	Farmer	Goward
Hoppe	Jacob	Ribaudo	Secrest	Thompson 37
Ward				

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

HCS SB 888, with HS, as amended, and House Amendment No. 16, pending, relating to sales/use tax, was again taken up by Representative Jacob.

On motion of Representative Williams (159), House Amendment No. 16 was adopted.

Representative Marshall (26) offered House Amendment No. 17.

House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 6, section 144.020, line 2, by inserting after the word "property", the following: "**except as provided in subsection 3 of this section,**"; and

Further amend said bill, page 9, section 144.020, line 1, by inserting after said line the following:

"**3. There shall be a tax equivalent to two and one-half percent of the purchase price paid or charged for food sold at retail business. For the purposes of this section, the term "food" shall include only those articles of food which are authorized under the federal food stamp program to be purchased with food stamps.**"; and

Further amend said bill, page 23, section 144.030, line 19, by inserting after said line the following:

"144.140. **1.** From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. Any person who is required to collect and remit the tax imposed in subsection 3 of section 144.020 shall be allowed to retain, in addition to the amount in subsection 1 of this section, two percent of the portion of the tax collected pursuant to subsection 3 of section 144.020 that is not held and distributed in the manner provided in section 144.701 and section 163.031, RSMo."; and

Further amend said bill, page 25, section A, lines 7 and 8, by deleting said lines and inserting in lieu thereof the following:

Section B. Because immediate action is necessary to stimulate the economy of this state, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety and is

hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall become effective upon its passage and approval by the governor or on July 1, 1996, whichever occurs later.; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Jacob offered House Substitute Amendment No. 1 for House Amendment No. 17.

House Substitute Amendment No. 1
for
House Amendment No. 17

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, Page 1, Section A, Line 4 by inserting after said line the following:

"143.124. 1. **Notwithstanding** other provisions of law to the contrary [notwithstanding], the total amount of all annuities, pensions, or retirement allowances above the amount of six thousand dollars annually provided by any law of this state, the United States, or any other state to any person**, or the total amount of all annuities, pensions or retirement allowances above the amount of two thousand dollars for tax years beginning on or after January 1, 1998, but before January 1, 1999, and above the amount of four thousand dollars for tax years beginning on or after January 1, 1999, but before January 1, 2000, and above the amount of six thousand dollars for tax years beginning on or after January 1, 200, provided to any person through any privately funded annuity, pension or retirement allowance,** except as provided in subsection 4 of this section, shall be subject to tax [under] **pursuant to** the provisions of this chapter, in the same manner, to the same extent and under the same conditions as any other taxable income received by the person receiving it. For purposes of this section, annuity, pension, or retirement allowance shall be defined as an annuity, pension or retirement allowance provided by the United States, this state, any other state or any political subdivision or agency or institution of this or any other state **or an annuity, pension or retirement allowance provided by any privately funded source**.

2. For the period beginning July 1, 1989, and ending December 31, 1989, there shall be subtracted from Missouri adjusted gross income for that period, determined pursuant to section 143.121, the first three thousand dollars of retirement benefits received by each taxpayer **if the following requirements are satisfied**:

(1) [If] The taxpayer's filing status is single, head of household or qualifying widow(er) and his Missouri adjusted gross income is less than twelve thousand five hundred dollars; or

(2) [If] The taxpayer's filing status is married filing combined and their combined Missouri adjusted gross income is less than sixteen thousand dollars; or

(3) [If] The taxpayer's filing status is married filing separately and his Missouri adjusted gross income is less than eight thousand dollars.

3. For the tax years beginning on or after January 1, 1990, there shall be subtracted from Missouri adjusted gross income, determined pursuant to section 143.121, the first six thousand dollars of retirement benefits received by each taxpayer **from sources other than privately funded sources, and for tax years beginning on or after January 1, 1998, there shall be subtracted from Missouri adjusted gross income, determined pursuant to section 143.143, the first two thousand dollars of retirement benefits received from privately funded sources for tax years beginning on or after January 1, 1998, but before January 1, 1999, and the first four thousand dollars of retirement benefits received form privately funded sources for tax years beginning on or after January 1, 1999, but before January 1, 2000, and the first six thousand dollars of retirement benefits received from privately funded sources for tax years beginning on or after January 1, 2000, if the following requirements are satisfied**:

(1) [If] The taxpayer's filing status is single, head of household or qualifying widow(er) and [his] **the taxpayer's** Missouri adjusted gross income is less than twenty-five thousand dollars; or

(2) [If] the taxpayer's filing status is married filing combined and their combined Missouri adjusted gross income is less than thirty-two thousand dollars; or

(3) [If] the taxpayer's filing status is married filing separately and [his] **the taxpayer's** Missouri adjusted gross income is less than sixteen thousand dollars.

4. To determine the maximum Missouri adjusted gross income limits referenced in this section, any social security benefits included in Missouri adjusted gross income shall be subtracted. But social security benefits shall not be subtracted for purposes of other computations [under] **pursuant to** this chapter, and are not to be considered as retirement benefits for purposes of this section.

5. The provisions of subdivisions (1) and (2) of subsection 3 of this section shall applyor during all tax years in which the federal Internal Revenue Code provides exemption levels foror calculation of the taxability of social security benefits that are the same as the levels inor subdivisions (1) and (2) of subsection 3 of this section. If the exemption levels for theor

calculation of the taxability of social security benefits are adjusted by applicable federalor
law or regulation, the exemption levels in subdivisions (1) and (2) of subsection 3 of thisor
section shall be accordingly adjusted to the same exemption levels.

6. For each tax year beginning on or after January 1, 1990, the portion of a taxpayer's lump sum distribution from an annuity or other retirement plan not otherwise included in Missouri adjusted gross income as calculated [under] **pursuant to** this chapter, but subject to taxation [under] **pursuant to** Internal Revenue Code section 402 shall be taxed in an amount equal to ten percent of the taxpayer's federal liability on such distribution for the same tax year.

7. The exemptions provided for in this section shall not affect the calculation of the income to be used to determine the property tax credit provided in sections 135.010 to 135.035, RSMo.

8. The provisions of this section shall apply to all other annuities, pensions and retirement allowances as subsequently defined and provided by law for tax years beginning on or after January 1, 1991."; and

Further amend said bill, Page 9, Section 144.020, Line 1 by inserting after said line the following:

"**144.022. To comply with the limitations established in sections 16 and 18 of article of the Missouri constitution, the governor may require the director of revenue to suspend collection of a portion of the state sales and use tax. The portion so suspended may be up to, but not in excess of, three percent of the purchase price paid or charged for food sold at retail businesses which are authorized as participants in the federal food stamp program, except that beginning of this section, the term "food" shall include only those articles of food which are authorized under the federal food stamp program to be redeemable for food stamps. During any fiscal year in which the commissioner of administration certifies that total state revenue are reasonably projected to be in excess of the limitation established in sections 16 and 18 of article X of the Missouri constitution, the governor, by executive order, shall direct and specify the amount of sales and us tax collections which the director shall suspend. Other laws to the contrary notwithstanding, the director of revenue shall suspend collection of the amount directed by an executive order issued pursuant to this section. The tax collected on transactions shall be proportionately reduced during the period the executive order issued pursuant to this section is in effect. Any suspension in the state sales and use tax collections shall continue for the period deemed necessary in the executive order to comply with the limitations established in sections 16 and 18 of article X of the Missouri constitution but shall not extend past the fiscal year in which the executive order was issued.**"; and

Further amend said bill, Page 23, Section 144.030, Line 19 by inserting after said line the following:

"144.140. **1.** From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.

2. Any person who is required to collect and remit the tax of which a portion may be suspended pursuant to section 144.022 shall be allowed to retain, in addition to the amount in subsection 1 of this section, two percent of the portion of the remaining tax subsequent to a suspension pursuant to section 144.022 that is not held and distributed in the manner provided in section 144.701 and section 163.031, RSMo."; and

Further amend said bill, Page 25, Section B, Lines 7 and 8 by deleting said lines and inserting in lieu thereof the following:

Section B. Because immediate action is necessary to stimulate the economy of this state, section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety and is hereby declared to be an emergency act within the meaning of the constitution, and section A of this act shall become effective upon its passage and approval by the governor or on July 1, 1996, whichever occurs later.; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Shields raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 17 is not a true substitute.

The Chair ruled the point of order not well taken.

Representative Lograsso requested a division of the question.

The Chair ruled the division of the question inappropriate.

Representative Kelley (47) raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 17 goes beyond the scope of the bill.

The Chair ruled the point of order untimely.

Representative Witt assumed the Chair.

Representative Akin offered House Substitute Amendment No. 1 for House Substitute Amendment No. 1 for House Amendment No. 17.

Representative Jacob raised a point of order that House Substitute Amendment No. 1 for House Substitute Amendment No. 1 for House Amendment No. 17 is in the third degree.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Jacob, House Substitute Amendment No. 1 for House Amendment No. 17 was adopted by the following vote:

AYES: 084

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Gratz
Green	Gunn	Hagan-Harrell	Harlan	Hartzler 124
Heckemeyer	Hickey	Hosmer	Jacob	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Liese	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McLuckie	Monaco	Montgomery
Morgan	Murray 69	O'Connor	O'Neill	O'Toole
Overschmidt	Pauley	Prost	Relford	Reynolds
Ribaudo	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Stokan	Stoll	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Ward	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 072

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Champion
Childers	Chrismer	Cierpiot	Cooper	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	McClelland	Murphy	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Shields	Sombart	Steen
Summers	Surface	Vogel	Wannenmacher	Whiteside
Wieland	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Ford	Goward	Hoppe	McBride

Secrest

VACANCY: 001

The Speaker resumed the Chair.

Representative Jacob requested verification of Roll Call No. 9.

Representative Ribaudo moved the previous question.

Which motion was defeated by the following vote:

AYES: 022

Auer	Bland	Bonner	Boucher	Clayton
Davis	Foley	Green	Gunn	Hagan-Harrell
Hickey	Klumb	O'Neill	O'Toole	Pauley
Ribaudo	Rizzo	Scheve	Sheldon 104	Stokan
Troupe	Witt			

NOES: 134

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bray 84
Broach	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Robirds	Ross	Sallee
Schilling	Schwab	Scott	Sears 1	Shear 83
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Daniel 42	Ford	Goward	O'Connor

Secrest

VACANCY: 001

Representative Kreider offered House Amendment No. 18.

House Amendment No. 18 was withdrawn.

Representative Mays (50) offered House Amendment No. 18.

House Amendment No. 18

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 1, section A, line 4, by inserting after said line the following:

92.045. 1. Any [constitutional charter] city in this state [which now has or may hereafter acquire a population in excess of three hundred fifty thousand inhabitants, according to the last federal decennial census,] is hereby authorized, for city and local purposes, to license, tax, and regulate the occupation of merchants, manufacturers, and all businesses, avocations, pursuits, and callings that are not exempt from the payment of licenses by law and may, by ordinance, base such licenses on gross receipts, gross profits or net profits, per capita, flat fee, graduated scale based on gross or net receipts or sales, or any other method or measurement of tax or any combination thereof derived or allocable to the carrying on or conducting of any business, avocation, pursuits or callings or activities carried on in such cities.

2. The local legislative body may grant by ordinance to its administering tax official the power to adopt regulations and rules relating to any matters pertaining to the administration and enforcement of any ordinances enacted in accordance with the authority heretofore given. Copies of such regulations and rules shall be kept in the office of such tax official designated in such ordinance and shall be open to inspection by the public. Said regulations or rules may be changed or amended from time to time."; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Mays (50), House Amendment No. 18 was adopted.

Representative Naeger offered House Amendment No. 19.

House Amendment No. 19

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 17, section 18, line 13, by inserting after the word "**including**", "medical oxygen",

On motion of Representative Naeger, House Amendment No. 19 was adopted.

Representative Hosmer offered House Amendment No. 20.

House Amendment No. 20

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, Page 1, In the Title, Line 6, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Lines 3 and 4, by deleting the word and number "and 2" and inserting in lieu thereof the following: ", 2 and 3"; and

Further amend said bill, Page 30, Section 2, Line 8, by inserting after all of said line the following:

"**Section 3. 1. If any person who is eligible to receive a refund of motor fuel tax because such fuel was sold for off-road use by such vehicles including, but not limited to, motorcycles, all-terrain vehicles, three wheelers and four-wheel drives fails to apply for a refund as provided in section 142.230, RSMo, such person is deemed to make a gift of such motor fuel tax refund to the recreational trails fund.**

2. There is hereby created in the state treasury the "Recreational Trails Fund" for the purpose of establishing and maintaining trails for motorized and nonmotorized use. The motor fuel tax on fuel sold for off-road use which accrues in any calendar month shall be paid on or before the last day of the next succeeding month to the director of revenue, who shall promptly deposit all such revenue in the state treasury to the credit of the recreational trails fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, money in the recreational trails fund shall not revert to the credit of the general revenue fund at the end of any biennium.".

Representative Hosmer moved that House Amendment No. 20 be adopted.

Which motion was defeated.

Representative Kreider offered House Amendment No. 21.

House Amendment No. 21

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 9, section 144.025, line 5, by deleting "**in this chapter**"; and

Further amend said bill, page 9, section 144.025, line 17, by deleting "**under this chapter**".

On motion of Representative Kreider, House Amendment No. 21 was adopted.

Representative Bennett offered House Amendment No. 22.

Representative Jacob raised a point of order that House Amendment No. 22 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Witt offered House Amendment No. 22.

House Amendment No. 22

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, by adding to the end of said bill the following:

143.782. As used in sections 143.782 to 143.788, unless the context clearly requires otherwise, the following terms shall mean and include:

(1) "Debt", any sum due and legally owed to any state agency which has accrued through contract, subrogation, tort, or operation of law regardless of whether there is an outstanding judgment for that sum, or any support obligation which is being enforced by the division of family services on behalf of a person who is

receiving support enforcement services pursuant to section 454.425, RSMo;

(2) "Debtor", any individual, sole proprietorship, partnership, corporation or other legal entity owing a debt;

(3) "Department", the department of revenue of the state of Missouri;

(4) "Refund", the Missouri income tax refund which the department determines to be due any taxpayer [under] **pursuant to** the provisions of this chapter. The amount of a refund shall not include any senior citizens property tax credit provided by sections 135.010 to 135.035, RSMo; and

(5) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri**, including public community college districts**.;

Further amend the title and enacting clause accordingly.

Representative Akin raised a point of order that House Amendment No. 22 goes beyond the scope of the bill.

The Chair ruled the point of order untimely.

On motion of Representative Witt, House Amendment No. 22 was adopted.

Representative Bartelsmeyer offered House Amendment No. 23.

House Amendment No. 23

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 17, section 144.030, line 9, by inserting after the word "insulin" the words "**, syringes used for medical purposes**".

On motion of Representative Bartelsmeyer, House Amendment No. 23 was adopted.

Representative Pouche offered House Amendment No. 24.

House Amendment No. 24

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 23, section 144.030, lines 13 and 14, by striking out the words "of at least four integrated facilities".

On motion of Representative Pouche, House Amendment No. 24 was adopted.

Representative McClelland offered House Amendment No. 25.

House Amendment No. 25

Amend House Substitute for House Committee Substitute for Senate Bill No. 888, Page 23, Section 144.030, Line 19 by inserting after said line the following:

"**Section 1. On any refund of taxes pursuant to the Missouri supreme court ruling on March 26, 1996, relating to the unconstitutionality of section 144.748, RSMo, the state shall reduce the withholdings of future distributions of taxes pursuant to section 144.749, RSMo, by any amount paid for interest pursuant to section 32.065, RSMo. on such refunds over four percent per annum. All monies refunded as interest payments on such refunds in excess of four percent per annum shall be taken from funds required to be set aside pursuant to section 144.200, RSMo.**"; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Jacob raised a point of order that House Amendment No. 25 is amending previously amended material.

Representative Jacob raised a second point of order that House Amendment No. 25 goes beyond the scope of the bill.

The Chair ruled the points of order not well taken.

Representative McClelland moved that House Amendment No. 25 be adopted.

Which motion was defeated by the following vote:

AYES: 075

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Garnett	Gaskill	Graham
Griesheimer	Gross	Hall	Hand	Harlan

Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Legan	Levin	Linton	Lograsso
Long	Loudon	Marble	Marshall 133	McClelland
Murphy	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Pouche	Pryor	Richardson	Ridgeway
Robirds	Ross	Sallee	Schwab	Scott
Shields	Sombart	Steen	Summers	Surface
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

NOES: 080

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Dougherty	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Gratz
Green	Gunn	Hagan-Harrell	Heckemeyer	Hickey
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Liese
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	McLuckie	Monaco	Montgomery	Morgan
Murray 69	O'Connor	O'Neill	O'Toole	Overschmidt
Pauley	Prost	Relford	Reynolds	Rizzo
Scheve	Schilling	Sears 1	Shear 83	Shelton 57
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown	Gibbons	Goward	Ribaudo	Secrest
Sheldon 104	Ward			

VACANCY: 001

Representative Akin offered House Amendment No. 26.

House Amendment No. 26

AMEND House Substitute for House Committee Substitute for Senate Bill No. 888, page 25, section 144.030, line 9, section B, by adding to end of section (at bottom of page) other provisions of this bill notwithstanding. That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 1996, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following ballot question which shall include, but not be limited to, this language: "Shall the state of Missouri repeal the state general sales tax on food?"

On motion of Representative Akin, House Amendment No. 26 was adopted by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Graham	Gratz
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long

Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schwab
Scott	Sears 1	Shear 83	Sheldon 104	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 002

Green	Shelton 57

PRESENT: 000

ABSENT WITH LEAVE: 008

Brown	Gibbons	Goward	Schilling	Secrest
Thompson 37	Ward	Witt		

VACANCY: 001

Representative Kelley (47) offered House Amendment No. 27.

Representative Jacob raised a point of order that House Amendment No. 27 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Murphy offered House Amendment No. 27.

Representative Jacob raised a point of order that House Amendment No. 27 is amending previously amended material.

The Chair ruled the point of order well taken.

On motion of Representative Jacob, **HS HCS SB 888, as amended,** was adopted by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt

Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Marshall 133

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown	Gibbons	Goward	Secrest	Thompson 37
Troupe	Ward			

VACANCY: 001

On motion of Representative Jacob, **HS HCS SB 888, as amended,** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Garnett
Gaskill	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 001

Marshall 133

PRESENT: 000

ABSENT WITH LEAVE: 012

Boucher	Brown	Froelker	Gibbons	Goward
Lumpe	Secrest	Thompson 37	Troupe	Ward
Whiteside	Witt			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Lakin moved that the vote by which the bill passed be reconsidered.

Representative Kreider moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, HA 2, HA 1 to HA 3, HA 3, as amended and HA 4 to SB 664** , and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HB 974** and has taken up and passed **CCS SS SCS HB 974**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HBs 1207, 1288, 1408 and 1409**, entitled:

An act to repeal section 261.105, RSMo Supp. 1995, relating to agriculture, and to enact in lieu thereof fifteen new sections relating to the same subject, with an emergency clause and an expiration date for certain sections.

With Senate Substitute Amendment No. 1 for Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5.

Senate Substitute Amendment No. 1
for
Senate Amendment No. 1

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, page 3, Section 640.703, Line 8 of said page, by striking the semicolon ";" and inserting in lieu thereof a period "."; and further amend lines 9-14, by striking all of line 9 after "Sensitive areas," and all of lines 10-13 and "(c)" on line 14, and further strike "; and" on line 17 and lines 18-19; and

Further amend said bill, pages 3-4, section 640.705, by striking all of said section; and

Further amend said bill, page 8, section 640.730, lines 17-18 of said page, by striking the following: "and any other waste material storage facility"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 1, Section A, Line 5, by inserting immediately after said line the following:

"65.652. Such township planning commission shall consist of the township trustee, the commissioner of the county commission who represents the township, one member of the township board selected by the township board, and one resident [freeholder] appointed by the township board from the unincorporated part of the township for a term of four years or until his successor takes office. The terms of all other members shall be only for the duration of their tenure of official position. All members of the township planning commission shall serve as such without compensation, except that an attendance fee as reimbursement for expenses, for not to exceed two meetings per month, may be paid to the [freeholder] **resident** member of the planning commission in an amount, as set by the township board, not to exceed fifteen dollars for each meeting. The planning commission shall elect its chairman who shall serve for one year.

65.690. 1. Any township board which appointed a township planning or township zoning commission and which has adopted a zoning plan, as provided in sections 65.650 to 65.700, shall appoint a township board of zoning adjustment. The board shall consist of five [freeholders] **residents**, not more than one of whom may be a member of the township planning commission or the township zoning commission. The membership of the first board appointed shall serve respectively: one for one year, one for two years, one for three years, two for four years. Thereafter, members shall be appointed for terms of four years each. Members shall be removable for cause by the township board upon written charges and after public hearings. Vacancies shall be filled by the township board for the unexpired term of any member whose term becomes vacant. Members of the board shall serve without compensation, but may be reimbursed for expenses incurred for attendance at not more than four meetings per year in an amount to be set by the township board, not to exceed ten dollars per meeting. The board of zoning adjustment shall elect its own chairman and shall adopt rules of procedure

consistent with the provisions of the zoning regulations and the provisions of sections 65.650 to 65.700. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board of zoning adjustment shall be open to the public, and minutes shall be kept of all proceedings and official actions, which minutes shall be filed in the office of the board and shall be a public record. Appeals to the board of zoning adjustment may be taken by any owner, lessee or tenant of land, or by a public officer, department, board or bureau, affected by any decision of the administrative officer in administering a township zoning rule. Such appeals shall be taken within a period of not more than three months, and in the manner provided by the rules stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken shall certify to the board that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. The board of adjustment shall have the following powers and it shall be its duty:

(1) To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by an administrative official in the enforcement of the township zoning regulations;

(2) To hear and decide all matters referred to it or which it is required to determine under the zoning regulations adopted by the township board as herein provided;

(3) Where, by reason of exceptional narrowness, shallowness, shape of topography or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under sections 65.650 to 65.700 would result in peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property as an unreasonable deprivation of use as distinguished from the mere grant of a privilege, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the demonstrable difficulties or hardships, provided the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map.

2. In exercising the above powers, the board may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. Any owners, lessees or tenants of buildings, structures or land jointly or severally aggrieved by any decision of the board of adjustment may appeal to the township board for review. Any person aggrieved by a decision of the township board may present to the circuit court of the county in which the property affected is located, a petition, duly verified, stating that the decision is illegal in whole or in part, specifying the grounds of the illegality and asking for relief therefrom. Upon the presentation of the petition, the court shall allow a writ of certiorari directed to the board of adjustment or the township board, respectively, of the action taken and data and records acted upon, and may appoint a referee to take additional evidence in the case. The court may reverse or affirm or may modify the decision brought up for review. After entry of judgment in the circuit court in the action in review, any party to the cause may prosecute an appeal to the appellate court having jurisdiction in the same manner now or hereafter provided by law for appeals from other judgments of the circuit court in civil cases."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 2, Section 640.703, Line 24, by inserting immediately after said line, the following:

"**(1) "Animal units", shall be defined by rules of the department in effect as of January 30, 1996;**"; and

Further amend said section, page 3, line 2, by inserting immediately after said line, the following:

"(2) "Class IA, any operation with a capacity in excess of seven thousand animal units;

(3) "Class IB, any operation with a capacity of four thousand animal units to six thousand nine hundred and ninety-nine animal units;

(4) "Class IIA", any operation with a capacity of at least one thousand animal units to three thousand nine hundred and ninety-nine animal units;

(5) "Class IIB", any operation with a capacity of at least three hundred animal units to nine hundred ninety-nine animal units;"; and

Further amend said section, by numbering all subdivisions correctly.

Senate Amendment No. 4

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 6, Section 640.715, Line 15, by inserting immediately after "information" the following: "**to the county governing body and**".

Senate Amendment No. 5

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, Page 4, Section 640.705, Line 11 of said page, by deleting the word "and" on said line; and further on line 18 of said page, by deleting the period "." and inserting in lieu thereof "**; and**

(4) The provisions of this section shall terminate three years after the effective date of this section.".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 999**, entitled:

An act to repeal sections 334.735 and 334.745 RSMo 1994, and sections 334.500 and 334.740, RSMo Supp. 1995, relating to licensing and regulating certain health care professionals, and to enact in lieu thereof twenty-eight new sections relating to the same subject, with penalty provisions.

With Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 1 as amended, Senate Amendment No. 2, Senate Amendment No. 5, Senate Amendment No. 7.

Senate Amendment No. 1
to
Senate Amendment No. 1

AMEND Senate Amendment No. 1 to Senate Committee Substitute for House Committee Substitute for House Bill No. 999, by adding at the end the following new sentence:

"No licensed physical therapist shall have under their direct supervision more than four (4) physical therapist assistants."

Senate Amendment No. 1

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 999, Page 2, Section 334.650, Line 1, by inserting before the word "**After**" the number "**1.**"; and

Further amend said bill, Page 2, Section 334.650, Line 3, by inserting after all of said line the following:

"**2. A licensed physical therapist shall direct and supervise a physical therapist assistant at all times. The licensed physical therapist shall have the responsibility of supervising the physical therapy treatment program. No physical therapist may establish a treating office in which the physical therapist assistant is the primary care provider.**".

Senate Amendment No. 2

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 999, Page 1, Section A, Line 6 by inserting immediately after said line, the following:

"334.123. The board shall elect its own president and secretary, each to serve for a term of one year, and shall maintain an office and employ an executive director and such other board personnel, as defined in section 620.010, RSMo, as the board in its discretion deems necessary. Without limiting the foregoing, the board is specifically authorized to obtain the services of specially trained and qualified persons or organizations to assist in conducting examinations of applicants for licenses and may employ legal counsel. The executive director shall have the degree of Bachelor of Arts or [its] **the** equivalent [in college credits] **combination of education and experience from which comparable knowledge and abilities can be acquired**. The board shall meet annually in Jefferson City and at such other times and places as the members of the board may designate, and shall keep a record of its proceedings and shall cause a register to be kept of all applicants for certificates of licensure. The records and register shall be prima facie evidence of all matters recorded therein. Four members of the board shall constitute a quorum, at least one of whom shall be a graduate of a professional school approved and accredited as reputable by the American Medical Association or the Liaison Committee on Medical Education, and at least one of whom shall be a graduate of a professional school approved and accredited as reputable by the American Osteopathic Association."; and

Further amend said bill, pages 27-28, section 15, lines 1-43, by deleting all of said lines"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 999, Pages 19-20, Section 7, Lines 1-50 by striking all of said lines and inserting in lieu thereof the following:

"**Section 7. No rule or portion of a rule promulgated under the authority of sections 1 to 14 of this act shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.**".

Senate Amendment No. 7

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 999, Page 8, Section 334.735, Line 80 by inserting immediately after "attempt to practice" the following:

"**without physician supervision or**";

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 876**, entitled:

An act to repeal sections 386.020 and 622.090, RSMo 1994, relating to the regulation of certain transportation activities, and to enact in lieu thereof three new sections relating to the same subject.

With Senate Amendment Nos. 1, 2 and 3.

Senate Amendment No. 1

AMEND House Bill No. 876, Page 9, Section 1, Line 49 by inserting immediately after said line the following:

"**Section 2. 1. The commissioners of the bi-state development agency may participate in a committee or board meeting by means of conference telephone or other communication equipment whereby all persons attending the meeting, including the general public, can hear and communicate when appropriate. Participation in a committee or board meeting in this manner shall constitute presence in person at the meeting. The committee or board meetings referenced herein shall be considered public meetings subject to chapter 610, RSMo, and shall be reasonably accessible to the public.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND House Bill No. 876, Page 1, In the Title, Line 3, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "three" and inserting in lieu thereof the word "four"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the following: "622.090 and 1" and inserting in lieu thereof the following: "622.090, 1 and 2"; and

Further amend said bill, Page 9, Section 1, Lines 23 through 28, by deleting all of said lines and inserting in

lieu thereof the following:

"**3. The division may contract with the bi-state development agency created by section 70.370, RSMo, for safety consultation pursuant to the division's duties created by this section. Any moneys paid pursuant to this subsection shall be deposited in the light rail safety fund created in section 2 of this act.**"; and

Further amend said bill, Page 9, Section 1, Line 49, by inserting immediately after said line the following:

"**Section 2. Any moneys received by the division of transportation of the department of economic development pursuant to subsection 3 of section 1 of this act shall be deposited in the state treasury to the credit of the "Light Rail Safety Fund" which is hereby created. The account shall be administered by the director of the division of transportation. When appropriated the moneys in the fund shall be used solely for the purpose of paying the costs of its duties pursuant to section 1 of this act. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the light rail safety fund at the end of any biennium shall not be transferred to the credit of the general revenue fund.**".

Senate Amendment No. 3

AMEND House Bill No. 876, Page 9, Section 1, Line 49 by inserting immediately following all of said line the following:

"**Section 2. In order to enable the commission to acquire property to preserve a corridor for future highway construction under the provisions of sections 226.950 to 226.973, the commission shall not be required to file detailed plans of the future highway construction with the county clerk as required by section 226.050, RSMo.**"; and

Further amend said bill by amending the title and enacting accordingly.

In which the concurrence of the House is respectfully requested.

HOUSE BILLS WITH SENATE AMENDMENTS

HB 979, with Senate Committee Amendment No. 1, relating to property covenants and easements, was taken up by Representative Crump (152).

Representative Crump (152) moved that the House refuse to concur in **Senate Committee Amendment No. 1** to **HB 979** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SCS HS HB 1368, as amended, relating to unemployment compensation, was taken up by Representative May (108).

Representative May (108) moved that the House refuse to adopt **SCS HS HB 1368, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS CARRYING REQUEST MESSAGES

SB 664, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, and House Amendment No. 4, relating to real estate/insurance, was again taken up by Representative Hartzler (123).

Representative Hartzler (123) moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, and House Amendment No. 4** to **SB 664** and grant the Senate a conference.

Which motion was adopted.

Representative May (108) moved that the House refuse to recede from its position on **HS HCS SS SB 560, as amended,** and grant the Senate a conference.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SB 769, relating to crime victims compensation, was taken up by Representative Canuteson.

Representative May (108) offered House Amendment No. 1.

Representative Lumpe raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Dougherty offered House Amendment No. 1.

Representative Lumpe raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Barry offered House Amendment No. 1.

Representative Lumpe raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Witt offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 769, page 2, section 595.045, line 2, by deleting the word "fee" and inserting in lieu thereof the following: "[fee} **surcharge**"; and

Further amend said bill, page 2, section 595.045, line 3, by deleting all of said line and inserting in lieu thereof the following: "in the state [for violation of a] **in all** criminal [law] **cases including violations of any county ordinance or any violation of criminal or traffic laws** of the state, including an infraction and violation of a"; and

Further amend said bill, page 2, section 595.045, line 4, by deleting the words "or county" and inserting in lieu thereof the following: "[or county]"; and

Further maned said bill, page 2, section 595.045, line 4, by inserting after the word "that" the following "["; and

Further amend said bill, page 2, section 595.045, line 6, by inserting after the words "safety laws, and" the following: "]"; and

Further amend said bill, page 2, section 595.045, lines 8 through 9, by deleting all of said lines and inserting in lieu thereof the following: "been dismissed by the court or when costs are to be paid by the state, county, or municipality [on behalf of an indigent defendant. A fee] **A surcharge**"; and

Further amend said bill, page 2, section 595.045, line 12, by deleting all of said line and inserting in lieu thereof the following: "2. The moneys collected by clerks of the courts [, except municipal clerks, under] **pursuant to**"; and

Further amend said bill, page 2, section 595.045, line 13, by deleting the word "paid" and inserting in lieu thereof the following: "[paid} **collected and disbursed**"; and

Further amend said bill, page 3, section 595.045, line 14, by inserting after the word "RSMo" the following: "**, and shall be payable to the director of the department of revenue**"; and

Further amend said bill, page 3, section 595.045, line 50, by inserting after the words "shall be" the following: "["; and

Further amend said bill, page 4, section 595.045, line 52, by deleting all of said line and inserting in lieu thereof the following: "(2)] Five percent **of such moneys** shall be [paid into] **payable monthly to** the city treasury **of the city from which such funds were collected**. [The director of revenue shall deposit"; and

Further amend said bill, page 4, section 595.045, line 58, by deleting the figure "**(3)**" and inserting in lieu thereof the following: "**The remaining ninety-five percent of such moneys shall be payable monthly to the director of revenue.**"; and

Further amend said bill, page 4, section 595.045, line 60, by deleting the letter "**(a)**" and inserting in lieu thereof the following: "**(1)**"; and

Further amend said bill, page 4, section 595.045, line 64, by deleting the letter "**(b)**" and inserting in lieu thereof the following: "**(2)**"; and

Further amend said bill, page 4, section 595.045, line 71, by deleting the letter "**(c)**" and inserting in lieu thereof the following: "**(3)**"; and

Further amend said bill, page 4, section 595.045, line 78, by inserting after the word "auditor" the following: "**and such audit shall include all records associated with crime victims' compensation matters at all levels of the court administration and throughout any state agency**"; and

Further amend said bill, page 4, section 595.045, line 80, by inserting after the word "judgment" the following: "**in favor of the state of Missouri, payable monthly to the crime victims' compensation fund.**"; and

Further amend said bill, page 5, section 595.045, line 102, by inserting after the word "deposited" the following: "**monthly**".

On motion of Representative Witt, House Amendment No. 1 was adopted.

On motion of Representative Canuteson, **HCS SB 769, as amended,** was adopted.

On motion of Representative Canuteson, **HCS SB 769, as amended,** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Graham	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger

Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 001

O'Neill

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Bennett 15	Brown	Foley	Gibbons
Goward	Green	Ribaudo	Secrest	Thompson 37
Ward	Wooten			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Morgan, title to the bill was agreed to.

Representative Troupe moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

SB 589, relating to public utilities, was taken up by Representative Dougherty.

Representative Daniels offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 589, Page 1, In the Title, Lines 2 through 3, by deleting all of said lines and inserting in lieu thereof the following: "To repeal section 386.310, RSMo 1994, relating to public utilities, and to enact in lieu thereof five new sections relating to the"; and

Further amend said bill, Page 1, Section A, Lines 1 through 2, by deleting all of said lines and inserting in lieu thereof the following: "Section A. Section 386.310, RSMo 1994, is repealed and five new sections enacted in lieu thereof, to be known as sections 386.310, 1, 2, 3 and 4, to read"; and

Further amend said bill, Page 3, Section 386.310, Line 64, by inserting after all of said line the following:

"**Section 1. As used in sections 1 to 4 of this act, the following terms mean:**

(1) "Educational institution" or "institution":

(a) All institutions of higher education in this state which receive any funding from the state, and all divisions and offices thereof; and

(b) All school districts which maintain any elementary or secondary school, and all divisions and offices thereof;

(2) "Utility" or "utility service", electric, natural gas, water, sewer and local and long distance telephone services, and energy conservation agreements.

Section 2. 1. Each educational institution shall keep all records, correspondence and copies of utility bills for five years in complete and orderly form to facilitate the technical audit required by sections 1 to 4 of this act.

2. Each educational institution shall be required to contract with an independent technical Missouri-based auditing company knowledgeable of the specific tariffs of the various utility and telecommunications providers operating within the state of Missouri.

3. Each independent technical auditing company utilized in the performance of the technical audits required by sections 1 to 4 of this act shall meet a minimum set of requirements of qualifications before performing an audit engagement. The state auditor shall prepare a qualifications statement document that shall be used by

all educational institutions to determine the technical audit company's qualifications. The state auditor shall promulgate the qualifications statement documents as a rule pursuant to the provisions of chapter 536, RSMo. The institution performing the technical audit shall select the technical audit contractor.

Section 3. 1. Each technical audit performed pursuant to sections 1 to 4 of this act shall seek to uncover errors and mistakes in the historical billing records of utility bills paid by the institution over the preceding five-year period. The technical audit shall seek to uncover nonconformance by the utility with the utility's tariff rates and rules and regulations and result in overcharges to the institution.

2. The technical audit shall seek refunds or credits or both from the utility for all errors and mistakes uncovered in performance of the technical audit. The technical audit shall seek to reduce the monthly cost of utility billings. All cost reductions proposed shall be in the form of recommendations by the contractor to the contracting institution. The institution may accept or reject any cost reduction recommendation. The institution shall not accept any cost reduction recommendation that has, as a requirement of that recommendation, an additional cost, such as the purchase and installation or alteration of equipment, except in cases relating to gas transportation. The cost reduction recommendations of the technical audit shall be limited in scope to no out-of-pocket cost methods for achieving the cost reduction. Cost reduction methods such as identification of better tariff rates, meter consolidations, telecommunications inventory reconciliation and other types of no cost to the institution methods of cost reduction shall be acceptable for the purpose of this section.

Section 4. 1. Each institution entering into a contract for the performance of a technical audit shall acquire from the office of the state auditor a copy of the qualifications statement document as prepared in accordance with section 2 of this act.

2. Each institution shall use the qualifications statement document as the basis of determination that any prospective technical audit contractor is, in fact, qualified to perform a technical audit.

3. All technical audits performed as a requirement of sections 1 to 4 of this act shall be performed pursuant to written contingency-based payment contracts. Compensation to contractors for performance of the technical audits shall be limited to a maximum payment of fifty percent of the dollars or credits recovered for the institution as a direct result of the technical audit. The compensation paid for cost reduction recommendations that the institution accepts and implements shall be limited to fifty percent of the cost savings realized for one year from the date the recommendations are implemented.

4. The institution may not implement a cost reduction recommendation that it has rejected for a period of three years after such rejection.".

On motion of Representative Daniels, House Amendment No. 1 was adopted.

Representative Kreider offered House Amendment No. 2.

Representative Froelker raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Dougherty, **SB 589, as amended,** was read the third time and passed by the following vote:

AYES: 146

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott

Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 003

Hohulin	O'Neill	Wieland

PRESENT: 001

Hendrickson

ABSENT WITH LEAVE: 012

Auer	Brown	Gibbons	Goward	Green
Jacob	Naeger	Ribaudo	Secrest	Thompson 37
Ward	Witt			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Boucher, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

SB 525, with House Committee Amendment No. 1, relating to telecommunication services, was taken up by Representative Backer.

On motion of Representative Backer, House Committee Amendment No. 1 was adopted.

Representative Schilling offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 525, page 5, section 209.259, line 14, by inserting after said line the following:

"**Section 1. Any telecommunications company which distributes a directory listing of residential and commercial phone numbers and which is regulated by the Missouri public service commission, shall be required to use a minimum print size as set by the Missouri public service commission.**"; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Burton raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Schilling moved that House Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 036

Barry 100	Bland	Boucher	Bray 84	Canuteson
Clayton	Daniel 42	Days	Dougherty	Fitzwater
Franklin	Garnett	Gunn	Hagan-Harrell	Harlan
Hosmer	Kelly 27	Klumb	Leake	Levin
Lumpe	May 108	McLuckie	Monaco	Morgan
Murphy	Relford	Reynolds	Schilling	Shear 83
Skaggs	Stokan	Thompson 37	Van Zandt	Whiteside

Wiggins

NOES: 113

Akin	Alter	Auer	Backer	Ballard

Barnett 4	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Burton	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Foley	Ford	Foster	Froelker
Gaskill	Graham	Gratz	Green	Griesheimer
Gross	Hall	Hand	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Koller	Lakin	Legan
Liese	Linton	Long	Luetkenhaus	Marble
Marshall 26	Marshall 133	Mays 50	McBride	McClelland
Montgomery	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Schwab	Scott	Sears 1	Sheldon 104	Shelton 57
Shields	Smith	Sombart	Steen	Stoll
Summers	Surface	Tate	Thomason 163	Troupe
Vogel	Wannenmacher	Wieland	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown	Gibbons	Goward	Jacob	Kreider
Lograsso	Loudon	O'Neill	Ribaudo	Scheve
Secrest	Treadway	Ward		

VACANCY: 001

Representative Thompson (37) offered House Amendment No. 2.

Representative Hall raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Thomason (163) offered House Amendment No. 2.

Representative Burton raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Backer, **SB 525, as amended,** was read the third time and passed by the following vote:

AYES: 141

Akin	Alter	Auer	Backer	Ballard
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Kreider	Lakin	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald

O'Connor	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Sallee
Scheve	Schilling	Schwab	Sears 1	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Surface
Thomason 163	Troupe	Van Zandt	Vogel	
Wannenmacher				
Whiteside	Wieland	Wiggins	Williams 121	Williams
159				

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Barnett 4	Brown	Gibbons	Goward	Koller
Leake	Legan	Marble	O'Neill	Prost
Ribaudo	Ross	Scott	Secrest	Summers
Tate	Thompson 37	Treadway	Ward	Witt

Wooten

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Gratz moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS HB 991: Representatives Koller, Bray, Van Zandt, Ostmann, Cooper

HS HCS SS SB 560: Representatives May (108), Sheldon (104), O'Toole, Ross, Legan

SB 664: Representatives Hartzler (123), Copeland, Leake, Treadway, Richardson

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 905

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Bill No. 905, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 905 and Senate Committee Amendment No. 1 and Senate Amendment No. 1 to House Bill No. 905;

2. That the Senate recede from its position on House Bill No. 905 with Senate Amendment No. 1, Senate Committee Amendment No. 1 and Senate Amendment No. 2;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Henry Rizzo	/s/ Ronnie DePasco
/s/ Carson Ross	/s/ Ed Quick
/s/ Pat Kelley	/s/ Irene Treppler
/s/ May Scheve	/s/ Bill McKenna
/s/ Charles Q. Troupe	/s/ John T. Russell

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Tuesday, May 14, 1996.

Seventy-third Day-Monday, May 13, 1996

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-Second Day, Friday, May 10, 1996, page 21, by deleting lines 6 and 7, and inserting in lieu thereof the following: "On motion of Representative Smith, **SB 676, as amended by the CCR,** was truly agreed to and finally passed by the following vote:"

Pages 3 and 4, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representative Richardson voting "aye" rather than "absent with leave".

Pages 8 and 9, roll call, by showing Representative Barnett (4) voting "aye" rather than "no".

Pages 15 and 16, roll call, by showing Representative May (108) voting "present" rather than "aye".

Pages 16 and 17, roll call, by showing Representative May (108) voting "present" rather than "aye".

Page 19, roll call, by showing Representatives Reynolds, Williams (159) and Richardson voting "aye" rather than "absent with leave".

Page 21, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Page 21, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

Pages 34 and 35, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

Pages 35 and 36, roll call, by showing Representative Surface voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

ACCOUNTS, OPERATIONS, AND FINANCE

Tuesday, May 14, 1996. Room 414 upon morning adjournment.

BUDGET

Tuesday, May 14, 1996, 8:30 am. Hearing Room 9. Executive Session.

To be considered - SB 869

TRAVEL COMMITTEE

Tuesday, May 14, 1996, 8:30 am. Hearing Room 5.

Seventy-third Day-Monday, May 13, 1996

HOUSE CALENDAR

SEVENTY-FOURTH DAY, TUESDAY, MAY 14, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer

24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149, 1150 & 1240, E.C. (Budget Fiscal 5-1-96) - Jacob

HOUSE BILLS FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

1 SB 757 - Sears (1)
2 SB 526 - Harlan
3 SS SB 981, HCA 1, HCA 2 & HCA 3, E.C. - Farmer
4 HCS SS SCS SB 723 & 891 - Rizzo
5 HCS SB 572 - Morgan
6 HCS SCS SB 884 & 841, (Budget Fiscal 5-8-96) - Witt
7 HCS SS SS SB 488 - Dougherty
8 HCS SS SCS SB 722, (Budget Fiscal 5-8-96) - Hosmer
9 HCS SS SCS SB 869, (Budget Fiscal 5-9-96) - Witt
10 SCS SB 719, HCA 1 (Budget Fiscal 5-9-96) - Lakin
11 SB 661 - McBride
12 SB 876, HCA 1 - Bray
13 SB 787 - Montgomery
14 SB 500 - Lumpe
15 HCS SB 634 - Smith
16 SB 805 - Bland
17 HCS SCS SB 708 - Rizzo
18 SB 781, HCA 1 - Carter
19 SB 489 - Carter

20 SB 768 - May (108)

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

HCS SB 904, Part I,as amended, adopted - Wiggins

HOUSE BILLS WITH SENATE AMENDMENTS

HB 1098, SA 1, SA 1 to SA 2, SA 2,as amended, - Goward

HCS HB 1159, 842 & 799, SA 1, SA 2, SA 4 - Scheve

SS SCS HS HCS HB 1207, 1288, 1408 & 1409, as amended E.C. - Tate

SCS HCS HB 999, as amended - Treadway

HB 876, SA 1, SA 2, SA 3 - Bray

BILLS CARRYING REQUEST MESSAGES

HB 979, SCA 1 request Senate recede or grant House conference - Crump (152)

SCS HS HB 1368, as amended, request Senate recede or grant House conference - May (108)

BILLS IN CONFERENCE

SB 858, as amended - Carter

HCS HB 781, as amended - Stokan

CCR HB 905, as amemded - Rizzo

SCS HS HCS HB 1301 & 1298, as amended, E.C. - McLuckie

HCS HB 991, as amended - Koller

HS HCS SS SB 560, as amended - May (108)

SB 664, as amended - Hartzler (123)

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

SENATE CONCURRENT RESOLUTION

SCR 28, (5-1-96 pgs 9 & 10) -

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SEVENTY-FOURTH DAY, Tuesday, May 14, 1996

Speaker Gaw in the Chair.

Prayer by Father Hugh Behan.

"The truth shall make you free." (John 8:32.)

There was a discussion on the radio recently about art. One caller suggested that if she found a first century fake of a third century BC piece of art, she would be delighted that she had something old. The art critic was strong and forceful in arguing for the truth, and for the authenticity and for the passion of the original artist. It got me to wondering about how many of us are that concerned, we accept the fake, we compromise with the truth, and we quickly lose our passion for the authentic. Today, God of Truth, author of the real, help us to be more attentive to being authentic and true to the best that is in us and in our world. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Leah Schrier, Shannon Lowry, Joe Garvey, Jessica Wente, Lyndsey Deibel, Zachery Famuliner, Alyssa Paige Famuliner, Eve Mason, Katie Moulton, Katie Dierker and Nick Michalas.

The Journal of the seventy-third day was approved as corrected.

RESOLUTIONS

Representative Boucher offered House Resolution No. 1259, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives May and Dougherty offered House Resolution No. 1260, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Backer and Gratz offered House Resolution No. 1261, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1262, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1263, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Relford offered House Resolution No. 1264, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Foley, Hickey and O'Connor offered House Resolution No. 1265, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Foley offered House Resolution No. 1266, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Donovan offered House Resolution No. 1267, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution No. 1268, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Kreider offered House Resolution No. 1269, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **SCS HCS HB 1099**, begs leave to report it has examined the same and finds it to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **SCS SB 719 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SCS SBs 884 & 841 (Fiscal Note)** , begs leave to report it has examined the same and recommends that it **Do Pass.**

SIGNING OF HOUSE BILL

All other business of the House was suspended while **SCS HCS HB 1099** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SCS HCS HB 1099** was delivered to the Governor by the Chief Clerk of the House.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SB 560, as amended**: Senators Goode, Graves, Lybyer, Sims and Staples.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 to SB 589** and requests that the House recede from its position.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SB 664, as amended**: Senators Klarich, Melton, Caskey, Quick and Maxwell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SB 888, as amended**, and requests that the House recede from its position or failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCA 1 to HB 979** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators McKenna, Curls, Maxwell, Klarich and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HS HB 1368, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators McKenna, Clay, DePasco, Treppler and Westfall.

HOUSE BILLS WITH SENATE AMENDMENTS

HCS HBs 1159, 842 and 799, with Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4, relating to bingo, was taken up by Representative Scheve.

Representative Scheve moved that the House refuse to concur in **Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4** to **HCS HBs 1159, 842 and 799** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

SS SCS HS HCS HBs 1207, 1288, 1408 and 1409, as amended, relating to concentrated therapists assistants, was taken up by Representative Tate.

Representative Tate moved that the House refuse to adopt **SS SCS HS HCS HBs 1207, 1288, 1408 and 1409, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference with conferees being allowed to exceed the differences.

Which motion was adopted.

SCS HCS HB 999, as amended, relating to physical therapists assistants, was taken up by Representative Treadway.

On motion of Representative Treadway, **SCS HCS HB 999, as amended**, was adopted by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 002

Froelker	Sallee

PRESENT: 000

ABSENT WITH LEAVE: 007

Brown	Farmer	Ford	Goward	Kelly 27
Ostmann	Stoll			

VACANCY: 001

On motion of Representative Treadway, **SCS HCS HB 999, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112

Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 002

Froelker	Sallee

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Cierpiot	Ford	Goward	Kelly 27
Ostmann				

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Carter, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bonner moved that motion lay on the table.

The latter motion prevailed.

HB 876, with Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3, relating to light rail, was taken up by Representative Bray.

On the motion of Representative Bray the House concurred in **Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 3 to HB 876,** by the following vote:

AYES: 147

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Fitzwater	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	

Hendrickson				
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Overschmidt	Pauley	Pouche
Prost	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 006

Akin	Hohulin	Murphy	Pryor	Ridgeway

Ward

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown	Farmer	Foley	Ford	Goward
Kelly 27	Klumb	Ostmann	Ribaudo	

VACANCY: 001

On motion of Representative Bray, **HB 876, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 145

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray 84	Broach	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	Oetting
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Richardson	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 007

Akin	Hohulin	Linton	Murphy	Pryor
Ridgeway	Ward			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Brown	Ford	Goward	Kelley 47
Kelly 27	Klumb	O'Toole	Ostmann	Ribaudo

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

BILL IN CONFERENCE

CCR HB 905, as amended, relating to Department of Aging, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **CCR HB 905, as amended,** was adopted by the following vote:

AYES: 099

Auer	Backer	Ballard	Barry 100	
Bartelsmeyer				
Bonner	Boucher	Bray 84	Broach	Canuteson
Carter	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Foster	Franklin
Garnett	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Harlan	Hartzler 123	
Heckemeyer				
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kelley 47	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marshall 26	May 108	Mays 50
McBride	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
Ostmann	Overschmidt	Pauley	Prost	Relford
Reynolds	Rizzo	Ross	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Stokan	Stoll	Tate	Thomason 163	Thompson
37				
Treadway	Troupe	Wannenmacher	Wiggins	Williams
121				
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 051

Akin	Alter	Barnett 4	Bennett 15	Boatright
Burton	Champion	Childers	Chrismer	Cierpiot
Elliott	Enz	Evans	Froelker	Gaskill
Gibbons	Graham	Hall	Hand	Hartzler
124				
Hegeman	Hendrickson	Hohulin	Howerton	Kauffman
Keeven	Linton	Lograsso	Loudon	Marble
Marshall 133	McClelland	Oetting	Pouche	Pryor
Richardson	Ridgeway	Robirds	Sallee	Schwab
Scott	Secrest	Shields	Sombart	Steen
Summers	Surface	Van Zandt	Vogel	Whiteside

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Brown	Ford	Goward	Kelly 27
Klumb	McLuckie	O'Neill	O'Toole	Ribaudo
Scheve	Ward			

VACANCY: 001

On motion of Representative Rizzo, **CCS HB 905** was read the third time and passed by the following vote:

AYES: 102

Auer	Backer	Ballard	Barry 100	Bartelsmeyer
Bonner	Boucher	Bray 84	Broach	Canuteson
Carter	Champion	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Garnett	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kasten	Kelley 47	Kissell	Koller
Kreider	Lakin	Leake	Levin	Liese
Long	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McLuckie	Monaco	Montgomery
Morgan	Murray 69	Nordwald	O'Connor	O'Neill
Overschmidt	Pauley	Prost	Relford	Reynolds
Rizzo	Ross	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Wannenmacher
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 049

Akin	Alter	Barnett 4	Bennett 15	Boatright
Childers	Chrismer	Cierpiot	Elliott	Enz
Evans	Froelker	Gaskill	Gibbons	Graham
Hall	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kauffman	Keeven	Legan	Linton
Lograsso	Loudon	Marble	Marshall 133	McClelland
Murphy	Murray 135	Naeger	Oetting	Pouche
Pryor	Richardson	Ridgeway	Robirds	Sallee
Schwab	Scott	Secrest	Shields	Sombart
Steen	Van Zandt	Vogel	Wieland	

PRESENT: 001

Bland

ABSENT WITH LEAVE: 010

Brown	Burton	Ford	Goward	Kelly 27
Klumb	O'Toole	Ostmann	Ribaudo	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Dougherty, title to the bill was agreed to.

Representative Crum (112) moved that the vote by which the bill passed be reconsidered.

Representative Clayton moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

SB 757, relating to water pollution control bonds, was taken up by Representative Sears (1).

Representative Sears (1) offered **HS SB 757**.

Representative Klumb offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 757, Page 29, by inserting after all of said page the following:

"355.331. 1. The articles or bylaws [must] **shall** specify the terms of directors. Except for designated or appointed directors, the terms of directors may not exceed [five] **six** years. In the absence of any term specified in the articles or bylaws, the term of each director shall be one year. Directors may be elected for successive terms.

2. A decrease in the number of directors or term of office does not shorten an incumbent director's term.

3. Except as provided in the articles or bylaws:

(1) The term of a director filling a vacancy in the office of a director elected by members expires at the next election of directors by members; and

(2) The term of a director filling any other vacancy expires at the end of the unexpired term which such director is filling.

4. Despite the expiration of a director's term, the director continues to serve until the director's successor is elected, designated or appointed and qualifies, or until there is a decrease in the number of directors."; and

Further amend the title and enacting clause accordingly.

On motion of Representative Klumb, House Amendment No. 1 was adopted.

Representative Heckemeyer offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for Senate Bill No. 757, Section 2, Page 24, Lines 3 through 22, by deleting all of said lines; and

Further amend said bill, Section 2, Page 25, Lines 1 through 22, by deleting all of said lines; and

Further amend said bill, Section 2, Page 26, Lines 1 through 8, by deleting all of said lines,; and

Further amend the title and enacting clause accordingly.

On motion of Representative Heckemeyer, House Amendment No. 2 was adopted.

Representative Sears (1) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for Senate Bill No. 757, Page 21, Section 393.770, Line 17, by deleting the words "**to obtain**" on said line.

On motion of Representative Sears (1), House Amendment No. 3 was adopted.

Representative Chrismer offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for Senate Bill No. 757, page 27 and 28, line 2, by adding after the word "classification" and inserting the words "which includes first class chartered counties".; and

Further amend page 28, by removing the brackets on lines 1 and 2.

Representative Green assumed the Chair.

Representative Bennett requested a division of the question.

House Amendment No. 4

Part I

AMEND House Substitute for Senate Bill No. 757, page 27 and 28, line 2, by adding after the word "classification" and inserting the words "which includes first class chartered counties".

Representative Bennett offered House Amendment No. 1 to Part I of House Amendment No. 4.

House Amendment No. 1

to

Part I

of

House Amendment No. 4

AMEND House Amendment No. 4 to House Substitute for Senate Bill No. 757, page 1, section 1, line 1, by deleting the word "includes" and insert in lieu of the following: "shall include"

On motion of Representative Bennett, House Amendment No. 1 to Part I of House Amendment No. 4 was adopted.

SB 757, with Part I of HA 4, as amended, Part II of HA 4 and HS, as amended, pending, was laid over.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HS HCS SS HB 1368: Representatives May (108), O'Neill, Harlan, Oetting and Pryor

HB 979: Representatives Crump, Hoppe, Ward, Cooper and Marshall (133)

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Victoria Leigh (Tori) Murray, Tim Murray, Kevin Murray, Dennis Murray, Veronica Murray, Kate Noland, Jennifer Noland and Michael Noland.

RESOLUTIONS

Representative Marshall (133) offered House Resolution No. 1270, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Scheve offered House Resolution Nos. 1271 and 1272, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 1273, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Dougherty offered House Resolution No. 1274, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Rizzo offered House Resolution No. 1275, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Secrest, Levin and Akin offered House Resolution No. 1276, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bland offered House Resolution Nos. 1277 through 1280, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1281, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1282, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Richardson offered House Resolution No. 1283, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE CONCURRENT RESOLUTION

Representative Troupe offered House Concurrent Resolution No. 16.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS HB 811 and SCS HCS HBs 1376 & 1501**, begs leave to report it has examined the same and finds them to be truly correctly printed as agreed to and finally passed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 525** and has taken up and passed **SB 525, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS HB 991, as amended**: Senators Staples, Banks, McKenna, Sims and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SA 1, 2 & 4 to HCS HBs 1159, 842 & 799** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators McKenna, DePasco, Scott, Mueller and Treppler.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HCS HBs 1207, 1288, 1408 & 1409, as amended,** and grants the House a conference thereon and that the conferees are allowed to exceed the differences.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Johnson, Mathewson, Lybyer, Rohrbach and Westfall.

MOTIONS

Representative Jacob moved that the House refuse to recede from its position on **HS HCS SB 888, as amended,** and grant the Senate a conference with conferees being allowed to exceed the differences for purpose of adding an emergency clause.

Which motion was adopted.

Representative Dougherty moved that the House refuse to recede from itsnferees
position on **House Amendment No. 1** to **SB 589** and request the Senate to grant;shall include"

the House a conference.

Which motion was defeated by the following vote:

AYES: 039

Backer	Bonner	Boucher	Carter	Clayton
Crump 152	Daniel 42	Daniels 41	Days	Dougherty
Farmer	Ford	Franklin	Gunn	Hagan-Harrell
Harlan	Hosmer	Jacob	Kissell	Lakin
Lumpe	Marshall 26	Morgan	Murphy	O'Neill
Rizzo	Ross	Schilling	Sheldon 104	Skaggs
Smith	Stokan	Thompson 37	Troupe	Van Zandt
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 115

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bennett 15	Bland	Boatright	Bray
Broach	Burton	Canuteson	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Davis	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farnen	Fiebelman	Fitzwater	Foley
Foster	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Klumb	Koller	Kreider	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marshall 133	May 108	McBride
McClelland	McLuckie	Monaco	Montgomery	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Robirds	Sallee	Scheve	Schwab
Scott	Sears 1	Secrest	Shear 83	Shelton

57				
Shields	Sombart	Steen	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 08

Bartelsmeyer	Brown	Goward	Kelly 27	Marble
Mays 50	Ribaudo	Ward		

VACANCY: 001

On motion of Representative Dougherty the House receded from its position on **House Amendment No. 1** to **SB 589** and **SB 589** was truly agreed to and finally passed by the following vote:

AYES: 146

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	May 108	McBride
McLuckie	Monaco	Montgomery	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 004

Murphy	Shelton 57	Thompson 37	Williams 121

PRESENT: 000

ABSENT WITH LEAVE: 012

Brown	Donovan	Goward	Jacob	Kelly 27
Linton	Marble	Mays 50	McClelland	Morgan
Ribaudo	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Bray, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Stokan moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS HBs 1159, 842 and 799: Representatives Scheve, Bray, Barry, Kauffman and Cooper.

SS SCS HS HCS HBs 1207, 1288, 1408 and 1409: Representatives Tate, Wiggins, Leake, Legan and Whiteside.

THIRD READING OF SENATE BILLS

SB 757, **with Part I of House Amendment No. 4, as amended, Part II of House Amendment No. 4 and HS, as amended, pending**, relating to water pollution control bonds, was again taken up by Representative Sears (1).

On motion of Representative Chrismer, **Part I of House Amendment No. 4, as amended,** was adopted.

Seventy-fourth Day-Tuesday, May 14, 1996

House Amendment No. 4

Part I

AMEND House Substitute for Senate Bill No. 757, Page 28, by removing the brackets on lines 1 and 2.

Representative Chrismer moved that Part II of House Amendment No. 4 be adopted.

Which motion was defeated.

On motion of Representative Sears (1), **HS SB 757, as amended,** was adopted.

On motion of Representative Sears (1), **HS SB 757, as amended,** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Williams 121	Williams 159	Witt	Mr. Speaker

NOES: 002

Hohulin	Loudon

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown	Edwards-Pavia	Goward	Hosmer	Jacob
Marble	Ribaudo	Ward	Wiggins	Wooten

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Marshall (26), title to the bill was agreed to.

Representative Green moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

SB 526, relating to athletic agents, was taken up by Representative Harlan.

On motion of Representative Harlan, **SB 526** was truly agreed to and finally passed by the following vote:

AYES: 136

Akin	Alter	Auer	Backer	Ballard
Barry 100	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Bray 84	Broach	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Copeland	Crum 112	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Green	Griesheimer	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 123	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Klumb
Koller	Kreider	Lakin	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	May 108	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 013

Barnett 4	Boatright	Enz	Gratz	Gross
Hartzler 124	Hendrickson	Hohulin	Loudon	Pouche
Steen	Whiteside	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown	Cooper	Crump 152	Goward	Jacob
Kissell	Leake	Marble	Mays 50	Ribaudo
Shields	Ward	Wiggins		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Schilling moved that the vote by which the bill passed be reconsidered.

Representative Tate moved that motion lay on the table.

The latter motion prevailed.

Representative Smith assumed the Chair.

SS SB 981, with House Committee Amendment No. 1, House Committee Amendment No. 2 and House Committee Amendment No. 3, relating to local use tax, was taken up by Representative Farmer.

Representative Farmer offered **HS SS SB 981.**

Representative Gross offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Substitute for Senate Bill No. 981, page 9, section 144.757, line 7, by inserting after the number "**16**" the following: ", 1996"

On motion of Representative Gross, House Amendment No. 1 was adopted.

Representative Ballard offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Bill No. 981, page 15, section 144.761, line 7, by inserting immediately after the word "effect.", the following:

"Section 1. On any refund of taxes pursuant to the Missouri supreme court ruling on March 26, 1996, relating to the unconstitutionality of section 144.748, RSMo the state shall reduce the withholdings of future distributions of taxes pursuant to section 144.749 RSMo by any amount paid for interest pursuant to section 32.065 RSMo on such refunds over four percent per annum. All monies refunded as interest payments on such refunds in excess of four percent per annum shall be taken from funds required to be set aside pursuant to section 144.200 RSMo."; and

Further amend said bill by amending the title and enacting clause accordingly.

The Speaker resumed the Chair.

Representative Griesheimer offered House Amendment No. 1 to House Amendment No. 2.

Representative Farmer raised a point of order that House Amendment No. 1 to House Amendment No. 2 is in the third degree.

The Chair ruled the point of order well taken.

Representative Griesheimer offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1

for

House Amendment No. 2

AMEND House Substitute for Senate Substitute for Senate Bill No. 981, page 15, section 144.761, line 7, by inserting immediately after the word "effect.", the following:

"**Section 1. On any refund of taxes pursuant to the Missouri supreme court ruling on March 26, 1996, relating to the unconstitutionality of section 144.748, RSMo the state shall reduce the withholdings of future distributions of taxes pursuant to section 144.749 RSMo by any amount paid for interest pursuant to section 32.065 RSMo on such refunds over four percent per annum. All monies refunded as interest payments on such refunds in excess of six percent per annum shall be taken from funds required to be set aside pursuant to section 144.200 RSMo.**"; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Griesheimer moved that House Substitute Amendment No. 1 for House Amendment No. 2 be adopted.

Which motion was defeated.

Representative Ballard moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 073

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Champion	Childers
Chrismer	Cierpiot	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Griesheimer	Gross
Hall	Hand	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Kauffman
Keeven	Kelley 47	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marshall 133
McClelland	Montgomery	Murphy	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Sombart
Steen	Summers	Surface	Vogel	Wannenmacher
Whiteside	Wieland	Wooten		

NOES: 085

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Burton	Canuteson	Carter
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Dougherty
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Gratz	Green	Gunn
Hagan-Harrell	Harlan	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Liese
Lumpe	Marshall 26	May 108	Mays 50	McBride
McLuckie	Monaco	Morgan	Murray 69	O'Connor
O'Neill	O'Toole	Overschmidt	Pauley	Prost
Relford	Reynolds	Ribaudo	Rizzo	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Wiggins	Williams 121	Williams 159	Witt	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 004

Brown	Goward	Marble	Ward

VACANCY: 001

Representative Gross offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for Senate Substitute for Senate Bill No. 981, on page 9, section 144.757, lines 7 and 8, by deleting the words "**December 31, 1996**" and inserting in lieu thereof the words "**August 6, 1996**"

Representative Farmer raised a point of order that House Amendment No. 3 is amending previously amended material.

The Chair ruled the point of order not well taken.

Representative Gross moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Representative Akin offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for Senate Substitute for Senate Bill No. 981, page 5, section 144.757, line 19, by adding the following to line 19; Notwithstanding the provisions of section 2 which follows, any ballot measure which will increase taxes shall contain the following statement, "A yes vote on this measure will increase taxes."

Representative Akin moved that House Amendment No. 4 be adopted.

Which motion was defeated by the following vote:

AYES: 065

Akin	Alter	Ballard	Barnett 4	Bennett 15
Boatright	Broach	Burton	Canuteson	Champion
Childers	Chrismer	Cierpiot	Cooper	Edwards-Pavia
Elliott	Enz	Evans	Foster	Froelker
Garnett	Graham	Gross	Hall	Hand
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Keeven	Kelley 47	Legan	Levin
Liese	Linton	Lograsso	Loudon	Marshall 26
McBride	Murphy	Murray 135	Naeger	Ostmann
Pouche	Richardson	Ridgeway	Robirds	Ross
Sallee	Scott	Secrest	Sheldon 104	Shields
Sombart	Steen	Summers	Surface	Treadway
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

NOES: 088

Backer	Barry 100	Bartelsmeyer	Bland	Bonner
Boucher	Bray 84	Carter	Clayton	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Gaskill	Gibbons	Griesheimer	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kauffman	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Long	Luetkenhaus	Lumpe	Marshall 133	May 108
Mays 50	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murray 69	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Overschmidt	Pauley	Prost
Pryor	Relford	Reynolds	Ribaudo	Rizzo
Scheve	Schilling	Schwab	Sears 1	Shear 83
Shelton 57	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Troupe	Van Zandt	Wiggins
Williams 121	Williams 159	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Brown	Goward	Gratz	Green
Marble	Thompson 37	Ward	Witt	

VACANCY: 001

Representative Klumb assumed the Chair.

On motion of Representative Farmer, **HS SS SB 981, as amended,** was adopted.

On motion of Representative Farmer, **HS SS SB 981, as amended,** was read the third time and passed by the following vote:

AYES: 148

Alter	Backer	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Enz	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall

133
May 108 Mays 50 McBride McClelland McLuckie
Monaco Montgomery Morgan Murray 69 Murray
135
Naeger Nordwald O'Connor O'Toole Oetting
Ostmann Overschmidt Pauley Pouche Prost
Pryor Relford Reynolds Ribaudo
Richardson
Ridgeway Robirds Ross Sallee Scheve
Schilling Schwab Scott Sears 1 Secrest
Shear 83 Sheldon 104 Shelton 57 Shields Skaggs
Smith Sombart Steen Stokan Stoll
Summers Surface Tate Thomason 163 Thompson
37
Treadway Troupe Van Zandt Vogel
Wannenmacher
Whiteside Wieland Wiggins Williams 121 Williams
159
Witt Wooten Mr. Speaker

NOES: 007

Akin Elliott Evans Hoppe Keeven
Murphy Rizzo

PRESENT: 000

ABSENT WITH LEAVE: 007

Auer Brown Goward Green Marble
O'Neill Ward

VACANCY: 001

Representative Klumb declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 146

Alter Backer Ballard Barnett 4 Barry 100
Bartelsmeyer Bennett 15 Bland Boatright Bonner
Boucher Bray 84 Broach Burton Canuteson
Carter Champion Childers Chrismer Cierpiot
Clayton Cooper Copeland Crum 112 Crump 152
Daniel 42 Daniels 41 Davis Days Donovan
Dougherty Edwards-Pavia Enz Farmer Farnen
Fiebelman Fitzwater Foley Ford Foster
Franklin Froelker Garnett Gaskill Gibbons
Graham Gratz Griesheimer Gross Gunn
Hagan-Harrell Hall Hand Harlan Hartzler
123
Hartzler 124 Heckemeyer Hegeman Hendrickson Hickey
Hosmer Howerton Jacob Kasten Kauffman
Kelley 47 Kelly 27 Kissell Klumb Koller
Kreider Lakin Leake Legan Levin
Liese Linton Long Loudon
Luetkenhaus
Lumpe Marshall 26 Marshall 133 May 108 Mays 50
McBride McClelland McLuckie Monaco
Montgomery
Morgan Murray 69 Murray 135 Naeger Nordwald
O'Connor O'Neill O'Toole Oetting Ostmann
Overschmidt Pauley Pouche Prost Pryor
Relford Reynolds Ribaudo Richardson Ridgeway
Rizzo Robirds Ross Sallee Scheve
Schilling Schwab Scott Sears 1 Secrest
Shear 83 Sheldon 104 Shelton 57 Shields Skaggs
Sombart Steen Stokan Stoll Summers
Surface Tate Thomason 163 Thompson 37 Treadway
Troupe Van Zandt Vogel Wannenmacher Whiteside
Wieland Wiggins Williams 121 Williams 159 Wooten

Mr. Speaker

NOES: 007

Akin Elliott Evans Hoppe Keeven
Lograsso Murphy

PRESENT: 000

ABSENT WITH LEAVE: 009

Auer	Brown	Goward	Green	Hohulin
Marble	Smith	Ward	Witt	

VACANCY: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

HCS SS SCS SBs 723 and 891, relating to neighborhood improvement districts, was taken up by Representative Rizzo.

Representative Rizzo offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891, Page 2, Section 50.333, Line 42, by deleting the opening bracket "["; and

Further amend said bill, Page 3, Section 50.333, Line 60, by deleting "7.] For the year [1989] **1997**" and inserting in lieu thereof the following: "7. For the year [1989] **1996**"; and

Further amend said bill, Page 3, Section 50.333, Line 80, by deleting the opening bracket "["; and

Further amend said bill, Page 3, Section 50.333, Line 81, by deleting "] **increase**"; and

Further amend said bill, Page 3, Section 50.333, Line 82, by deleting the number "**7**" and inserting in lieu thereof the number "**8**"; and

Further amend said bill, Page 4, Section 50.333, Line 83, by deleting "[maximum allowable compensation] **salary schedule**"; and inserting in lieu thereof the following: "maximum allowable compensation"; and

Further amend said bill, Page 4, Section 50.333, Line 97, by deleting the number "8." and inserting in lieu thereof the following: "[8.] **9.**"; and

Further amend said bill, Page 4, Section 50.333, Line 118, by deleting all of said line and inserting in lieu thereof the following: "[9. For the meeting in 1989 and every meeting thereafter,] **10.** In the event a salary"; and

Further amend said bill, Page 5, Section 50.333, Line 125, by deleting "10. [" and inserting in lieu thereof the following: "[10.] **11.**"; and

Further amend said bill, Page 5, Section 50.333, Line 134, by deleting "11.]" and inserting in lieu thereof the following: "[11.] **12.**"; and

Further amend said bill, Page 5, Section 50.333, Line 142, by deleting "[12." and inserting in lieu thereof the following: "[12.] **13.**"; and

Further amend said bill, Page 5, Section 50.333, Line 151, by deleting the closing bracket "]"; and

Further amend said bill, Page 5, Section 50.333, Line 152, by deleting the number "**11.**" and inserting in lieu thereof the number "**14.**".

On motion of Representative Rizzo, House Amendment No. 1 was adopted.

Representative Smith offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891, Page 1, In the Title, Line 2, by inserting after the number "99.430," the number "575.130"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "twelve" and inserting in lieu thereof the word "twenty"; and

Further amend said bill, Page 1, In the Title, Line 5, by inserting immediately after the words "penalty provisions"

the following: "and an emergency clause for certain sections"; and

Further amend said bill, Page 14, Section 3, Line 3, by inserting after all of said line the following:

"Section B. Section 575.130, RSMo 1994, is repealed and eight new sections enacted in lieu thereof, to be known as sections 575.130, 4, 5, 6, 7, 8, 9 and 10, to read as follows:

575.130. 1. A person commits the crime of simulating legal process if, with purpose to mislead the recipient and cause him to take action in reliance thereon, he delivers or causes to be delivered:

(1) A request for the payment of money on behalf of any creditor that in form and substance simulates any legal process issued by any court of this state; or

(2) Any purported summons, subpoena or other legal process knowing that the process was not issued or authorized by any court.

2. This section shall not apply to a subpoena properly issued by a notary public.

3. Simulating legal process is a class B misdemeanor.

4. No person shall file a nonconsensual common law lien as defined in section 4 of this act.

5. A violation of subsection 4 of this section is a class B misdemeanor.

6. Subsection 4 of this section shall not apply to a filing officer as defined in section 4 of this act that is acting in the scope of employment.

Section 4. 1. For the purposes of sections 4 to 10 of this act:

(1) "Court" is the United States Supreme Court, Federal Courts of Appeal, Federal District Courts, Federal Magistrates, Federal Administrative Courts, Missouri supreme court, Missouri courts of appeal, Missouri circuit courts, and Missouri associate circuit courts but shall not include municipal courts;

(2) "Filing officer" is the secretary of state, the recorder of deeds of any county, the circuit clerk of any county or any public official or authorized employee required by law to accept for filing and keep as a public record any lien, deed, instrument, judgment or other document, whether in paper, electronic or other form, required to be filed or recorded under the laws of this state;

(3) "Nonconsensual common law lien" is a document that purports to assert a lien against the assets, real or personal, of any person and that, regardless of any self-description:

(a) Is not expressly provided for by a specific state or federal statute;

(b) Does not depend upon the consent of the owner of the property affected or the existence of a contract for its existence; and

(c) Is not an equitable or constructive lien imposed by a state or federal court of competent jurisdiction.

2. Nothing in sections 4 to 10 of this act shall be construed to create a lien or interest in property not otherwise existing under state or federal law.

3. Nothing in sections 4 to 10 of this act shall be construed to permit a municipal court to create a lien or interest in property not otherwise existing under state or federal law.

Section 5. 1. Any filing officer may reject for filing or recording any nonconsensual common law lien. This section shall not be construed to permit rejection of a document that is shown to be authorized by contract, lease or statute or imposed by a state or federal court of competent jurisdiction or filed by a licensed attorney, a financial institution including, but not limited to, any commercial bank, savings and loan association or credit union or a Missouri state licensed mortgage company or mortgage broker.

2. If a nonconsensual common law lien has been accepted for filing, the filing officer shall accept for filing a sworn notice of invalid lien on a form provided by the filing officer signed and submitted by the person against whom such lien was filed or such person's attorney. The form shall be captioned "Notice of Invalid Lien" and shall state the name and address of the person on whose behalf such notice is filed, the name and address of the lien claimant and a clear reference to the document or documents the person believes constitute a nonconsensual common law lien. A copy of the notice of invalid lien shall be mailed by the filing officer to the lien claimant at the lien claimant's last known address within one business day. No filing officer, county or the state shall be liable for the acceptance for filing of a nonconsensual common law lien, nor for the acceptance for filing of a sworn notice of invalid lien pursuant to this subsection.

Section 6. Any person who attempts to file a lien against real or personal property that is rejected pursuant to subsection 1 of section 5 of this act may petition the circuit court of the county of the filing officer that rejected such lien for an order, which may be granted ex parte, directing the filing officer to file or record the lien pending a hearing on whether the lien constitutes a nonconsensual common law lien. The lien claimant shall

appear before the court as the petitioner within ten business days following the date of service of the petition and order on the filing officer, and show cause, if any, why the lien should not be declared void and other relief provided for by section 5 of this act should not be granted. The petition shall state the grounds upon which relief is requested, and shall be supported by the affidavit of the petitioner or the petitioner's attorney setting forth a concise statement of the facts upon which the claim for relief is based.

Section 7. Any person who has real or personal property or an interest therein, which is subject to a recorded nonconsensual common law lien who believes such lien is invalid may petition the circuit court of the county in which the lien has been recorded or filed for an order, which may be granted ex parte, directing the lien claimant to appear before the court within ten business days following the date of service of the petition and order on the lien claimant, and show cause, if any, why the claim of lien should not be declared void and other relief provided for by section 8 of this act should not be granted. The petition shall state the grounds upon which relief is requested, and shall be supported by the affidavit of the petitioner or the petitioner's attorney setting forth a concise statement of the facts upon which the claim for relief is based.

Section 8. 1. Any order rendered pursuant to section 3 or 4 of this act shall clearly state that if the lien claimant fails to appear at the time and place noted, the claim of lien shall be declared void ab initio and released and that the lien claimant shall be ordered to pay the costs incurred by any other party to the proceeding, including reasonable attorney's fees.

2. If, following a hearing on the matter, the court determines that the document at issue is a nonconsensual common law lien, the court shall issue an order declaring the lien void ab initio, releasing the lien and awarding costs and reasonable attorney's fees to the prevailing party.

3. If the court determines that the claim of lien is valid, the court shall issue an order so stating and may award costs and reasonable attorney's fees to the prevailing party.

4. A certified copy of any order rendered pursuant to this section shall be filed by the circuit clerk in the office of the appropriate filing officer.

Section 9. Filing officers and any employees thereof, acting in the scope of employment, shall not be liable for damages pursuant to sections 4 to 8 of this act and, except as otherwise provided by law, shall not be required to defend decisions to accept or reject any documents.

Section 10. Any person who records or files in the office of a filing officer:

(1) Any document purporting to create a nonconsensual common law lien against real or personal property; or

(2) A notice of invalid lien pursuant to subsection 2 of section 5 of this act with respect to a valid lien and which the filer knew to be false at the time of filing;

shall be liable to the damaged party for actual damages or five thousand dollars, whichever is greater plus costs and reasonable attorney's fees.

Section C. Because immediate action is necessary to prevent injustice, section B of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section B of this act shall be in full force and effect upon its passage and approval.".

On motion of Representative Smith, House Amendment No. 2 was adopted by the following vote:

AYES: 148

Akin	Alter	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Ford	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 123	Hall	Hand	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill
O'Toole	Oetting	Ostmann	Overschmidt	Pauley

Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Auer	Backer	Brown	Farmer	Foley
Foster	Goward	Hohulin	Marble	McClelland
Ridgeway	Thompson 37	Troupe	Ward	

VACANCY: 001

Representative May (108) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891, Page 13, Section 99.430, Line 104, by inserting after said line the following:

"**441.005. Except as otherwise provided, when used in chapter 534, RSMo, chapter 535, RSMo, or this chapter, the following terms mean:**

(1) "Lease", a written or oral agreement for the use or possession of premises;

(2) "Lessee", any person who is a party to a lease, and any person on the premises with the lessee's permission;

(3) "Premises", land, tenements, condominium or cooperative units, air rights and all other types of real property leased under the terms of a rental agreement, including any facilities and appurtenances, to such premises, and any grounds, areas and facilities held out for the use of tenants generally or the use of which is promised to the tenant. "Premises" include structures, fixed or mobile, temporary or permanent, vessels, mobile trailer homes and vehicles which are used or intended for use primarily as a dwelling or as a place for commercial or industrial operations or storage;

(4) "Rent", all charges or expenses other than damage assessments and attorney's fees, regardless of how denominated or defined in the lease, to be paid by or on behalf of a tenant to a landlord for any purpose set forth in the lease. Any charges and expenses provided under this definition shall be subject to any applicable limitations imposed pursuant to federal law for federally subsidized housing.

441.020. **1.** Whenever any lessee of any house**, apartment** or building [shall suffer] **permits** any prohibited gaming table, bank or device to be set up or be kept or used [therein] **upon the premises**, for the purpose of gaming, or keeping in the same a bawdyhouse, brothel or common gaming house, **or allowing the illegal possession, sale or distribution of controlled substances upon the premises,** the lease or agreement for letting such house or building shall become void, and the lessor may enter on the premises so let, and shall have the same remedies for the recovery [thereof] **of the premises** as in the case of a tenant holding over [his] **the tenant's** term.

2. If a lessee is conducting any illegal activities on the premises or such person is otherwise creating a nuisance that could injure persons or damage property, in addition to any remedy provided in subsection 1 of this section, a lessor may request, and the court may issue an ex parte temporary restraining order, without further hearing, with due notice to the lessee that the lessee is to vacate the premises within twenty-four hours of receiving such notice. The lessor shall in such injunctive action post a bond which shall be three times the amount of the monthly rent. The lessor shall submit to the court with the request for the temporary restraining order an affidavit stating the reasons that such action is necessary and the affidavit shall be supported by clear and convincing evidence that a lessee or any person on the premises with the lessee's permission is conducting illegal activities on the premises or such person is otherwise creating a nuisance that could injure persons or damage property. The judge shall hold a hearing within ten days after the issuance of the temporary restraining order. The court may suspend execution of the order and allow a lessee to remain on the premises pending the hearing if the lessee posts a bond in an amount equal to one month's rent. Upon a finding for the lessee, the court may award the lessee all or part of the bond posted by the lessor. The receipt of such an award shall not preclude the lessee from pursuing any other damages which may be sought according to law.

On motion of Representative May (108), House Amendment No. 3 was adopted by following the vote:

AYES: 137

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Davis	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Hagan-Harrell	Hall	Hand
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Klumb
Koller	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 010

Bland	Bray 84	Daniel 42	Days	Gunn
Harlan	Kelly 27	Reynolds	Schilling	Troupe

PRESENT: 000

ABSENT WITH LEAVE: 015

Auer	Brown	Foley	Goward	Green
Hosmer	Kissell	Kreider	Marble	McLuckie
O'Neill	O'Toole	Ribaudo	Thompson 37	Ward

VACANCY: 001

Representative Garnett offered House Amendment No. 4.

House Amendment No. 4

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891, page 10, section 67.461, line 22, by inserting immediately after all of said line the following:

"67.1000. The governing body of any second class county which is north of the Missouri River and which adjoins a county with a population of more than one hundred thousand inhabitants which contains a campus of the University of Missouri or the governing body of any county with a township form of government with a population of less than nine thousand inhabitants which adjoins at least six other counties with a township form of government or the governing body of any county with a township form of government which adjoins at least four other counties with a township form of government and at least one, but not more than one, third class county without a township form of government with a population of less than three thousand inhabitants or the governing body of any county which contains a state educational institution described as a state teachers college, as defined in paragraph (c) of subdivision (5) of section 176.010, RSMo, other than a county which adjoins the Mississippi River or a county with a population of more than one hundred fifty thousand inhabitants, or any city which is the county seat of any third class county which borders the state of Arkansas and contains a branch of Southwest Missouri State University, may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or county, which shall be more than two percent but not more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city or county submits to the voters of the city or county at a state general, primary or special election, a proposal to authorize the governing body of the city or county to

impose a tax under the provisions of this section and section 67.1002. The tax authorized by this section and section 67.1002 shall be in addition to the charge for the sleeping room and shall be in addition to any and all taxes imposed by law and the proceeds of such tax shall be used by the city or county solely for funding a convention and visitors bureau which shall be a general not for profit organization with whom the city or county has contracted, and which is established for the purpose of promoting the city or county as a convention, visitor and tourist center. Such tax shall be stated separately from all other charges and taxes."; and

Further amend said bill in the title and enacting clause accordingly.

Representative Edwards-Pavia raised a point of order that House Amendment No. 4 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Garnett, House Amendment No. 4 was adopted.

Representative Pauley offered House Amendment No. 5.

House Amendment No. 5

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891, section 67.455, subsection 1, page 6, line 16, by inserting immediately after said line the following:

"**2. In addition to the methods of authority for bonded indebtedness as described in subsection 1 of this section, the governing body of any first class county bordered by two counties of the second classification may submit pursuant to the provisions of sections 108.010 to 108.110, RSMo, the question of authorizing issuance of general obligation bonds which may be used to finance any improvements as defined in section 67.453, RSMo.**"; and

Further amend said bill, section 67.455, page 6, line 17, by deleting the figure **"2."** found on said line and inserting in lieu thereof the figure "**3.**".

Representative Lakin offered House Amendment No. 1 to House Amendment 5.

House Amendment No. 1
to
House Amendment No. 5

AMEND House Amendment No. 5, to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891, Line 3 of said amendment, by inserting immediately after the word "**classification**" on said line the following:

"**, and any county of the first classification without a charter form of government having a population of at least 150,000 inhabitants containing a portion of a city with a population of at least 350,000 inhabitants**"

On motion of Representative Lakin, House Amendment No. 1 to House Amendment No. 5 was adopted.

On motion of Representative Pauley, House Amendment No. 5, as amended, was adopted.

Representative Pryor offered House Amendment No. 6.

House Amendment No. 6

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891, Section 67.461, Page 10, Line 22, by inserting after said line the following:

"67.475. The total amount of city or county general obligation bond indebtedness incurred for improvements under sections 67.453 to 67.475, including temporary notes issued pursuant to sections 67.453 to 67.475, shall not exceed [ten] **forty** percent of the assessed valuation of all taxable [tangible] **real** property, as shown by the last completed property assessment for state or local purposes, within the [city or county] **proposed neighborhood improvement district; provided, however, that if a ballot upon which the question of incurring the bonded indebtedness is submitted to all of the qualified voters residing within the city or county and is approved by the percentage of voters within such city or county that is equal to the percentage of voter approval required for the issuance of general obligation bonds of such city or county pursuant to article VI, section 26 of the Missouri Constitution, the total amount of city or county general obligation bond indebtedness incurred for improvements under sections 67.453 to 67.475, including temporary notes issued pursuant to sections 67.453 to 67.475, shall not exceed the assessed valuation of all taxable real property, as shown by the last completed property assessment for state or local purposes, within the proposed neighborhood improvement district**. Any city with a population of three hundred fifty thousand or more inhabitants shall appoint a citizen advisory committee composed of members of each council districts on proposed neighborhood improvement district."

` And further amend said bill, by amending the title and enacting clause accordingly.

Representative Pryor moved that House Amendment No. 6 be adopted.

Which motion was defeated by the following vote:

AYES: 069

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Boatright	Broach	Burton
Champion	Childers	Chrismer	Cierpiot	Crum 112
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Kauffman	Keeven	Kelley 47	Levin
Linton	Lograsso	Long	Loudon	Marshall 133
McClelland	Murphy	Murray 135	Naeger	Nordwald
Oetting	Ostmann	Pouche	Pryor	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Sombart	Steen
Summers	Surface	Whiteside	Wieland	

NOES: 075

Barry 100	Bland	Bonner	Boucher	Bray 84
Canuteson	Carter	Clayton	Cooper	Copeland
Crump 152	Daniel 42	Daniels 41	Davis	Days
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Ford	Franklin	Gratz	Gunn	Hagan-Harrell
Harlan	Heckemeyer	Hickey	Hoppe	Jacob
Kelly 27	Klumb	Koller	Lakin	Leake
Liese	Lumpe	Marshall 26	May 108	Mays 50
McBride	Monaco	Montgomery	Morgan	Murray 69
O'Connor	Overschmidt	Prost	Relford	Reynolds
Ribaudo	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Stokan	Stoll	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer	Brown	Foley	Garnett	Goward
Green	Hosmer	Kissell	Kreider	Legan
Luetkenhaus	Marble	McLuckie	O'Neill	O'Toole
Pauley	Thompson 37	Ward		

VACANCY: 001

Representative Marshall (26) offered House Amendment No. 7.

Representative Smith resumed the Chair.

House Amendment No. 7 was withdrawn.

Representative Marshall (26) offered House Amendment No. 7.

Representative Gross raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Dougherty offered House Amendment No. 7.

Representative Edwards-Pavia raised a point of order that House Amendment No. 7 is not germane to the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Surface offered House Amendment No. 7.

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891, page 6, section 52.333, line 160, by inserting immediately after said line the following:

"64.725. 1. As an alternative to the procedures in sections 64.510 to 64.550, the county commission of any county of the **first,** second, third or fourth classification may create a temporary county planning commission prior to an election to adopt county planning and zoning. Such planning commission shall prepare a county plan for all areas of the county, whether such areas are incorporated or unincorporated, outside the corporate limits of any city, town or village which has adopted a city plan in accordance with the laws of this state.

2. The temporary county planning commission appointed pursuant to subsection 1 of this section shall consist of the county highway engineer, and one resident from each township of the county appointed by the county commission, from the unincorporated area of the county. The members of such planning commission shall serve until a planning commission is elected by the voters of the county, pursuant to subsection 6 of this section. All members of such temporary planning commission shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties. Such planning commission shall elect a chair at the first meeting of the year to serve for such year until a new chair is elected. The county highway engineer shall be an ex officio member of such planning commission.

3. The temporary planning commission may create and adopt rules for the transaction of its business and shall keep a public record of its resolutions, transactions, findings and recommendations. The commission may appoint such employees as it deems necessary for its work, and may contract with planners and other consultants for such services as it may require, and may incur other necessary expenses. The commission shall have power to make, adopt and publish a proposal for a master plan of the county for the purpose of bringing about coordinated physical development in accordance with the present and future needs. The master plan shall be developed so as to conserve the natural resources of the county, to insure efficient expenditure of public funds and to promote the health, safety, convenience, prosperity and general welfare of the inhabitants. Such master plan may include, among other things, studies and recommendations relative to the location, character and extent of highways, railroads, bus, streetcar, and other transportation routes, bridges, public buildings, schools, parks, parkways, forests, wildlife refuges, dams and projects affecting conservation of natural resources. Before the adoption of the plan, the commission shall hold a t least one public hearing shall also be posted at least fifteen days in advance thereof in one or more public areas of the courthouse of the county. Such hearing may be adjourned from time to time. The adoption of the plan shall be by resolution carried by not less than a majority vote of the full membership of the temporary county planning commission.

4. After the temporary county planning commission has adopted a proposed plan for county planning and zoning in the county, the county commission shall submit to the voters of the county the question of whether the county should adopt county planning and zoning as provided in the proposed plan. Such plan shall be available to the voters at least twenty days prior to the election. A notice stating the place or places and times for examining the plan shall be posted in one or more public areas of the courthouse of the county, and such notice shall be published in at least one newspaper of general circulation in the county at least once a week for three consecutive weeks, the last publication to be twenty days prior to the election.

5. The question for the adoption of county planning and zoning shall be submitted in substantially the following form:

Shall county planning and zoning as proposed by the county planning commission be adopted?

* YES * NO

6. If a majority of the votes cast on the question of whether the county should adopt county planning and zoning as provided in the proposed plan are in favor of adopting the plan, then an attested copy of the official master plan shall be certified to the county commission, to the recorder of deeds, and to the clerk of each incorporated area covered by the plan or part thereof. At the next countywide election, the voters in each township of the unincorporated area of the county shall elect one member from each township to be a member of the county planning commission, and the county commission shall by order entered of record have the newly elected members of the county planning commission proceed with a program of county planning and zoning. The plan shall be effective immediately following the election of the county planning commission. If a majority of the votes cast on the question of whether the county should adopt county planning and zoning a provided in the proposed commission whether to retain or dissolve the temporary county planning commission established pursuant to subsection 1 of this section.

7. The terms of the elected members of the county planning commission shall be four years or until the member's successor takes office; except that, the terms shall be overlapping and one-half of the members first elected, or if an uneven number one-half plus one, shall be elected for two-year terms and the remaining members shall be elected for four-year terms. The county highway engineer shall be an ex officio member of the county planning commission. The term of the county highway engineer shall be only for the duration of the engineer's tenure of official position. All members of the county planning commission shall serve as such without compensation, but shall be reimbursed for actual and necessary expenses incurred in the performance of their

official duties. The planning commission shall elect a chair at the first meeting of the year to serve for such year until a new chair is elected. The commission shall have all powers granted a county planning commission appointed pursuant to sections 64.510 to 64.695.

8. If the county commission does not appoint a temporary county planning commission as provided in subsection 1 of this section, the voters of the county may submit a petition, signed by five percent of the number of voters in the county voting at the last gubernatorial election, calling for the appointment of a temporary county planning commission. Upon receipt of such a petition, the county commission shall appoint a temporary county planning commission as provided in subsection 1 of this section."; and

Further amend said bill by amending the title and enacting clause accordingly.

Representative Pryor offered House Amendment No. 1 to House Amendment No. 7.

House Amendment No. 1

to

House Amendment No. 7

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891, page 1, section 64.725, line 4, of said amendment by inserting after the words "of the county" the following:

"**, or planning and zoning districts within a county,**"

On motion of Representative Pryor, House Amendment No. 1 to House Amendment No. 7 was adopted.

On motion of Representative Surface, House Amendment No. 7, as amended, was adopted.

Representative Lakin offered House Amendment No. 8.

House Amendment No. 8

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891, Page 2, Section 50.333, Line 22, by deleting the words "in counties of the first classification" on said line;

And further amend said bill, section 99.430, page 13, line 104, by inserting immediately after said line the following:

473.739. 1. Each public administrator, except in counties of the first class with a charter form of government, who does not receive at least [twenty-five] **forty-five** thousand dollars in fees as otherwise allowed by law shall receive annual compensation of four thousand dollars and each such public administrator who does not receive at least [twenty-five] **forty-five** thousand dollars in fees may request the county salary commission for an increase in annual compensation and the county salary commission may authorize an additional increase in annual compensation not to exceed ten thousand dollars.

2. Two thousand dollars of the compensation authorized in this section shall be payable to the public administrator only if he has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the public administrator's office when approved by a professional association of the county public administrators of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each public administrator who completes the training program and shall send a list of certified public administrators to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county public administrator in the same manner as other expenses as may be appropriated for that purpose.

Representative Marshall (133) raised a point of order that House Amendment No. 8 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Witt assumed the Chair.

Representative Marshall (133) offered House Amendment No. 1 to House Amendment No. 8.

House Amendment No. 1
to
House Amendment No. 8

AMEND House Amendment No. 8 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891, Page 1, Section 473.739, Line 3, by deleting the words "Forty-five" and

removing the brackets from "Twenty-five"

On motion of Representative Marshall (133), House Amendment No. 1 to House Amendment No. 8 was adopted.

On motion of Representative Lakin, House Amendment No. 8, as amended, was adopted.

Representative Long offered House Amendment No. 9.

House Amendment No. 9

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891, Page 14, Section 3, line 3, by inserting immediately following said line the following section:

"Section 4. The governing body of any county may adopt and enforce a uniform personnel policy designed to secure efficient administration for all offices, positions and employees of the county."; and

Further amend said bill by amending the title and enacting clause accordingly.

On motion of Representative Long, House Amendment No. 9 was adopted.

Representative Sears (1) offered House Amendment No. 10.

Representative Edwards-Pavia raised a point of order that House Amendment No. 10 is not germane to the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Pryor offered House Amendment No. 10.

House Amendment No. 10 was withdrawn.

Representative Childers offered House Amendment No. 10.

Representative Edwards-Pavia raised a point of order that House Amendment No. 10 goes beyond the scope of the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Shields offered House Amendment No. 10.

Representative Edwards-Pavia raised a point of order that House Amendment No. 10 goes beyond the scope of the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Pryor offered House Amendment No. 10.

House Amendment No. 10

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891, page 9, section 67.459, line 2, by inserting after the word property the following: "or property owners,"

On motion of Representative Pryor, House Amendment No. 10 was adopted by the following vote:

AYES: 143

Akin	Alter	Backer	Ballard	Barnett 4
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Ford	Foster
Franklin	Froelker	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe

Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Klumb	Koller
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Shelton 57

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer	Barry 100	Brown	Daniel 42	Foley
Garnett	Goward	Green	Hartzler 123	Kissell
Kreider	Marble	McLuckie	O'Neill	O'Toole
Ribaudo	Thompson 37	Ward		

VACANCY: 001

On motion of Representative Rizzo, **HCS SS SCS SBs 723 and 891, as amended,** was adopted.

On motion of Representative Rizzo, **HCS SS SCS SBs 723 and 891, as amended,** was read the third time and passed by the following vote:

AYES: 143

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Ford
Foster	Franklin	Froelker	Gaskill	Graham
Gratz	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Klumb	Koller	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 001

Pryor

PRESENT: 000

ABSENT WITH LEAVE: 018

Auer	Brown	Daniel 42	Foley	Garnett
Gibbons	Goward	Green	Hartzler 123	Kelly 27
Kissell	Kreider	Marble	McLuckie	O'Neill
O'Toole	Ribaudo	Ward		

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

HCS SB 572, relating to school enrollment, was taken up by Representative Morgan.

Representative Bennett raised a point of order that the House Committee Substitute is not germane to SB 572.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Morgan offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill No. 572, Page 2, Section 160.053, Lines 33 to 35, by deleting all of said lines and inserting in lieu thereof the following: "[his] **the** kindergarten year shall not be required to meet the".

On motion of Representative Morgan, House Amendment No. 1 was adopted.

Representative Scheve offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 572, Page 1, In The Title, Line 2, by deleting "160.051 and 160.053" and inserting in lieu thereof the following: "160.051, 160.053 and 171.031"; and

Further amend said bill, Page 1, In The Title, Line 3, by deleting the word "seven" and inserting in lieu thereof the word "eight"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting all of said line and inserting in lieu thereof the following: "Section A. Sections 160.051, 160.053 and 171.031, RSMo 1994, are repealed and five new"; and

Further amend said bill, Page 2, Section 160.053, Line 40, by inserting after all of said line the following:

"171.031. 1. Each school board shall prepare annually a calendar for the school term, specifying the opening date and providing a minimum term of at least one hundred seventy-four days and one thousand forty-four hours of actual pupil attendance. The opening date shall not be earlier than the [first] **fifteenth** day of [September] **August**, except[:

(1) If the first day of September falls on Labor Day or a Saturday or Sunday, the school board in any school district may move the starting day for that term to a subsequent school day;

(2)] in school districts in which schools are in session for twelve months of each calendar year[; and

(3) In school districts in which the school board determines students are needed for agricultural production purposes].

2. No school day shall be longer than seven hours except for vocational schools which may adopt an eight-hour day in a metropolitan school district and a school district in a [first class] county [adjacent to a city not within a county] **of the first classification with a charter form of government and a population in excess of nine hundred thousand persons**.".

Representative Morgan raised a point of order that House Amendment No. 2 goes beyond the scope of the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Crump (152) offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1
for
House Amendment No. 2

AMEND House Committee Substitute for Senate Bill No. 572, Page 5, Section 5, Line 3, by inserting after all of said line the following:

"Section 6. Beginning with the 1997-98 school year and each year thereafter, no school district shall have an opening date earlier than the final day of the annual state fair established pursuant to Sections 262.215 to 262.280, RSMo.";

An amend title and enacting clause accordingly.

On motion of Representative Crump (152), House Substitute Amendment No. 1 for House Amendment No. 2 was adopted by the following vote:

AYES: 088

Akin	Alter	Barnett 4	Bartelsmeyer	Bland
Bonner	Boucher	Bray 84	Burton	Canuteson
Childers	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Donovan
Edwards-Pavia	Elliott	Farmer	Farnen	Fiebelman
Fitzwater 124	Franklin	Gratz	Griesheimer	Hartzler
Hegeman	Hohulin	Hoppe	Howerton	Kasten
Kauffman	Kelley 47	Kelly 27	Klumb	Koller
Lakin	Leake	Legan	Levin	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	Monaco
Morgan	Murphy	Murray 69	Naeger	Oetting
Overschmidt	Pauley	Pouche	Relford	Ridgeway
Robirds	Schilling	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Steen	Stoll	Surface	Tate
Thomason 163	Van Zandt	Wieland	Wiggins	Williams 121
Williams 159	Witt	Mr. Speaker		

NOES: 050

Backer	Ballard	Barry 100	Bennett 15	Broach
Champion	Chrismer	Days	Dougherty	Enz
Evans	Foster	Froelker	Gaskill	Gibbons
Graham	Gross	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Heckemeyer	Hendrickson	Hickey
Keeven	Liese	Linton	Lograsso	Montgomery
Murray 135	Nordwald	O'Connor	Ostmann	Pryor
Reynolds	Richardson	Rizzo	Ross	Sallee
Scheve	Schwab	Sombart	Stokan	Summers
Treadway	Vogel	Wannenmacher	Whiteside	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 024

Auer	Boatright	Brown	Carter	Daniel 42
Foley	Ford	Garnett	Goward	Green
Gunn	Hosmer	Jacob	Kissell	Kreider
Marble	McLuckie	O'Neill	O'Toole	Prost
Ribaudo	Thompson 37	Troupe	Ward	

VACANCY: 001

Representative Shields offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Bill No. 572, page 1, section 160.051, line 6, by striking "**August**" and inserting in lieu thereof "**July**"; and

Further amend said substitute, page 2, section 160.053, line 11, by striking "**August**" and inserting in lieu thereof "**July**"; and

Further amend said substitute, page 2, section 160.053, line 13, by striking "**August**" and inserting in lieu thereof "**July**"; and

Further amend said substitute, page 3, section 1, line 6, by striking "**August**" and inserting in lieu thereof "**July**"; and

Further amend said substitute, page 3, section 2, line 7, by striking "**August**" and inserting in lieu thereof "**July**".

Representative Shields moved that House Amendment No. 3 be adopted.

Which motion was defeated.

Representative Froelker offered **HS HCS SB 572**.

HS HCS SB 572 was withdrawn.

On motion of Representative Morgan, **HCS SB 572, as amended**, was adopted.

On motion of Representative Morgan, **HCS SB 572, as amended,** was read the third time and passed by the following vote:

AYES: 141

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Bray 84	Broach	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniels 41
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foster	Franklin	Froelker	Gaskill
Gibbons	Goward	Graham	Gratz	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Klumb	Koller	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Auer	Boatright	Brown	Carter	Daniel 42
Davis	Foley	Ford	Garnett	Green
Gunn	Hand	Kissell	Kreider	Marble
McLuckie	O'Neill	O'Toole	Ribaudo	Steen

Ward

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Harlan, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Tate moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILL WITH SENATE AMENDMENTS

HB 1098, with Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, Senate Amendment No. 2, as amended, relating to cigarette/tobacco tax, was taken up by Representative Goward.

Representative Goward moved that the House refuse to concur in **Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2 and Senate Amendment No. 2, as amended,** to **HB 1098** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #2 HB 809**, entitled:

An act to repeal section 190.145 as enacted by the second regular session of the eighty-eighth general assembly in senate bill no. 530 and delivered to the governor on April 22, 1996, relating to ambulance operators, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

With Senate Amendment Nos. 1 and 2.

Senate Amendment No. 1

AMEND Senate Substitute #2 for House Bill No. 809, Page 3, Section 190.145, Line 11, by inserting, immediately following said section and line, the following new section:

"1. Notwithstanding anything herein to the contrary, ground ambulance services located in a city not within a county may maintain their ambulance service areas, and nothing in this act shall authorize the limitation or other restriction of the ambulance service area of ground ambulance services located in a city not within a county."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

AMEND Senate Substitute #2 for House Bill No. 809, Page 2, Section 190.145, Line 16, by deleting the word "incorporates" and substituting therefore the words "consists of"; and

Further amend said section, page 3, line 5, by deleting the word "incorporates" and substituting the words "consists of".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 905, as amended**, and has taken up and passed **CCS HB 905**.

COMMITTEE REPORTS

Committee on Accounts, Operations and Finance, Chairman Skaggs reporting:

Mr. Speaker: Your Committee on Accounts, Operations and Finance, to which was referred **HR 1228**, begs leave to report it has examined the same and recommends that it **Be Adopted.**

HOUSE RESOLUTION NO. 1228

WHEREAS, the provisions of section 21.155 RSMo 1973, sets forth that the House of Representatives may by resolution continue in employment such number of employees after adjournment as may be necessary for

operation during the interim period, and

WHEREAS, the House of Representatives will have need for (a) secretarial, (b) administrative, and (c) research staff after adjournment on May 17, 1996.

NOW, THEREFORE BE IT RESOLVED, that the Committee on Accounts, Operations and Finance of the House of Representatives may employ for the period between May 17, 1996 through January 8, 1997, such employees as are authorized in the appropriation of the House of Representatives and as deemed necessary by the Accounts, Operations and Finance Committee:

(1) Chief Clerk/Administrator

(1) Assistant Chief Clerk/Procedures

(2) Executive I

(1) Director House Accounting

(2) Accountant II

(1) Accountant I

(1) Insurance/benefit Specialist

(1) Director Appropriations Staff

(2) Budget Analyst IV

(2) Budget Analyst III

(1) Executive I

(1) Director House Research

(1) Research Analyst IV/Ass't Director

(1) Research Analyst IV

(10) Research Analyst III

(1) Research Analyst II

(2) Clerk Steno III

(1) Clerk Steno II

(1) Director Computer Operations

(2) Program Analyst III

(3) Program Analyst II

(1) Program Analyst I

(4) Computer Operator

(1) Trainer, Computer & Human Resources

(1) Director House Operations

(2) Executive I

(2) Composing Equipment Operator I

(1) Bill/ Mail Room Coordinator

(4) Bill Room Employees

(1) Print Shop Supervisor

(1) Assistant Print Shop Supervisor

(1) Duplicating Equipment Operator III

(3) Duplicating Equipment Operator II

(4) Duplicating Equipment Operator I

(1) Perfecting Room Supervisor

(1) Assistant Perf/RM. Supervisor

(4) Composing Equipment Operator II

(1) Custodial Supervisor

(3) Custodial Worker II

(1) Graphics Coordinator

(2) Composing Equipment Operator II

(1) Clerk Steno III

(1) Duplicating Equipment Operator I

(1) Director of Information

(1) Director, Broadcasting & Public Ed.

(1) Public Information Specialist III

(1) Photo Journalist

(1) Executive I

(2) Executive Assistant

(5) Administrative Assistant

(1) Executive II/Leadership

(3) Executive 1/ Leadership

(3) Executive I

Session Employees

Such Employees as are authorized by appropriations to the Missouri House of Representatives.

Members may elect to employ secretaries on a full or part time basis; provided that no more than two days of work per week shall be performed within the district office.

Committee on Local Government and Related Matters, Chairman Hoppe reporting:

Mr. Speaker: Your Committee on Local Government and Related Matters, to which was referred **SB 622**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Seventy-fourth Day-Tuesday, May 14, 1996

COMMUNICATION

May 13, 1996

Honorable Gary Witt

District 29

Room 408-B

RE: Kansas City Caucus

Dear Honorable Witt:

I would like to request to become a member of the Kansas City Caucus. As the new representative of the 49th District, I am looking forward to becoming a member of this organization.

Thank you for your consideration.

Respectfully submitted,

/s/ Rep. Ralph Monaco

District 49

Room 407-C

/s/ Gary Witt
/s/ Brian May (108)
/s/ Mark Richardson
/s/ Tim Harlan
/s/ Luann Ridgeway
/s/ Bill Alter
/s/ Craig Hosmer

/s/ Don Summers
/s/ Phil Smith
/s/ Paula J. Carter
/s/ Don Lograsso
/s/ Dorathea Davis
/s/ Connie Wible Murray
/s/ Robert M. Clayton, III

CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 979

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Bill No. 979, with Senate Committee Amendment No. 1, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Amendment No. 1.

2. That the attached Conference Committee Amendment No. 1 be adopted; and

3. That House Bill No. 979 with Conference Committee Amendment No. 1 be truly agreed and finally passed.

FOR THE HOUSE:
/s/ Wayne Crump
/s/ Bob Ward
/s/ Bonnie Sue Cooper
/s/ Bill Marshall
/s/ Thomas J. Hoppe

FOR THE SENATE:
/s/ Bill McKenna
/s/ Phil B. Curls, Sr.
/s/ Morris Westfall
/s/ Joe Maxwell
/s/ David Klarich

Conference Committee Amendment No. 1

AMEND House Bill No. 979, Page 1, Section 140.722, Line 1, by inserting after the word "**valid**" the word "**recorded**"; and

Further amend said bill, Page 1, Section 141.202, Line 1, by inserting after the word "**valid**" the word "**recorded**".

CONFERENCE COMMITTEE REPORT
FOR HOUSE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE
FOR SENATE BILL NO. 560

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Bill No. 560;

2. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, as amended;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Bill No. 560, be adopted.

FOR THE HOUSE:
/s/ Brian May (108)
/s/ Kenneth Legan
/s/ James O'Toole
/s/ Carson Ross
/s/ Norman E. Sheldon (104)

FOR THE SENATE:
/s/ Wayne Goode
/s/ Sam Graves
/s/ Mike Lybyer
/s/ Betty Sims
/s/ Danny Staples

CONFERENCE COMMITTEE REPORT
ON HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILLS NOS. 1159, 842 & 799

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for House Bills Nos. 1159, 842 & 799, with Senate Amendment No. 1, Senate Amendment No. 2 and Senate Amendment No. 4, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Amendment No. 2 and Senate Amendment No. 4 to House Committee Substitute for House Bills Nos. 1159, 842 & 799;

2. That the Senate recede from its position on Senate Amendment No. 1 to House Committee Substitute for House Bills Nos. 1159, 842 & 799;

3. That the attached Conference Committee Amendment No. 1 be adopted; and

4. That the House Committee Substitute for House Bills Nos. 1159, 842 & 799 with Senate Amendment No. 2, Senate Amendment No. 4 and Conference Committee Amendment No. 1 be truly agreed and finally passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ May Scheve	/s/ Bill McKenna
/s/ Joan Bray	/s/ John Scott
/s/ Joan Barry	/s/ Ronnie DePasco
/s/ Sandra D. Kauffman	/s/ Walt Mueller
/s/ Bonnie Sue Cooper	/s/ Irene Treppler

Conference Committee Amendment No. 1

AMEND House Committee Substitute for House Bills Nos. 1159, 842 & 799, Page 2, Section 313.010, Line 12, by inserting after the word "**dollars**" the words "**per event**"; and

Further amend said bill, Page 2, Section 313.010, Line 14, by deleting all of said line and inserting in lieu thereof the following: "**occasions annually at which only pull-tab cards may be used.**"; and

Further amend said bill, Page 2, Section 313.010, Line 15, by deleting all of said line; and

Further amend said bill, Page 2, Section 313.010, Line 16, by deleting the word "**dollars.**"; and

Further amend said bill, Page 2, Section 313.010, Line 21, by deleting the following: "**subdivision (11)**" and inserting in lieu thereof the following: "**subdivisions (11) and (14)**"; and

Further amend said bill, page 4, Section 313.040, Line 37, by deleting the words "**six months**" and inserting in lieu thereof the following: "**one year**"; and

Further amend said bill, Page 8, Section 313.057, Line 56, by inserting after the word "**supplier**" the following: "**if timely filed and paid,**"; and

Further amend said bill, Page 8, Section 1, Line 5, by deleting the word "**game**" and inserting in lieu thereof the word "**occasion**".

CONFERENCE COMMITTEE REPORT
ON HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 991

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for House bill No. 991, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Amendment No. 1, Senate Committee Amendment No. 2, Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 11 and Senate Amendment No. 15 to House Committee Substitute for House Bill No. 991;

2. That the Senate recede from its position on Senate Committee Amendment No. 3, Senate Committee Amendment No. 4, Senate Amendment No. 2, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 12, Senate Amendment No. 13, and Senate Amendment No. 14 for House Committee Substitute for House Bill No. 991;

3. That House Committee Substitute for House Bill No. 991 with Senate Committee Amendment No. 1, Senate Committee Amendment No. 2, Senate Amendment No. 1, Senate Amendment No. 3, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 11 and Senate Amendment No. 15 be truly agreed and finally passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Don Koller	/s/ Danny Staples
/s/ Joan Bray	/s/ Bill McKenna
/s/ Tim Van Zandt	/s/ J. B. Banks
/s/ Cindy Ostmann	/s/ Morris Westfall
/s/ Bonnie Sue Cooper	/s/ Betty Sims

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, May 15, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-Third Day, Monday, May 13, 1996, page 16, line 12, by deleting the word "us" and inserting in lieu thereof the word "use".

Pages 5 and 6, roll call, by showing Representative Barnett (4) voting "aye" rather than "absent with leave".

Page 7, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 22 and 23, roll call, by showing Representative Schilling voting "aye" rather than "absent with leave".

Pages 24 and 25, roll call, by showing Representative Froelker voting "aye" rather than "absent with leave".

Page 33, roll call, by showing Representatives Bennett (15) and Foley voting "aye" rather than "absent with leave".

Pages 35 and 36, roll call, by showing Representative Naeger voting "aye" rather than "absent with leave".

Pages 37, roll call, by showing Representative Loudon voting "no" rather than "absent with leave".

Page 38, roll call, by showing Representatives Summers, Koller and Ross voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Wednesday, May 15, 1996. Hearing Room 9 upon afternoon adjournment.

Executive session on previously heard bills.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Wednesday, May 15, 1996, 1:15 pm. Hearing Room 7. Contested fiscal note.

To be considered - SB 869

JUDICIARY AND ETHICS

Wednesday, May 15, 1996, 9:00 am. Hearing Room 5. Executive session to follow.

To be considered - SB 895

MISCELLANEOUS BILLS AND RESOLUTIONS

Wednesday, May 15, 1996, 8:30 am. Hearing Room 7. Executive session to follow. Amended Notice

To be considered - HCR 14, SCR 29

HOUSE CALENDAR

SEVENTY-FIFTH DAY, WEDNESDAY, MAY 15, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher

25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

1 HCS SCS SB 884 & 841 - Witt
2 HCS SS SS SB 488 - Dougherty
3 HCS SS SCS SB 722, (Budget Fiscal 5-8-96) - Hosmer
4 HCS SS SCS SB 869, (Budget Fiscal 5-9-96) - Witt
5 SCS SB 719, HCA 1 - Lakin
6 SB 661 - McBride
7 SB 876, HCA 1 - Bray
8 SB 787 - Montgomery
9 SB 500 - Lumpe
10 HCS SB 634 - Smith
11 SB 805 - Bland
12 HCS SCS SB 708 - Rizzo
13 SB 781, HCA 1 - Carter
14 SB 489 - Carter
15 SB 768 - May (108)

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

HCS SB 904, Part I, as amended, adopted - Wiggins

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 HB 809, E.C., as amended - Tate

BILLS CARRYING REQUEST MESSAGES

HS HCS SB 888, as amended, conferees be allowed to exceed differences on E.C. - Jacob

HB 1098, SA1, SA 1 to SA 2,SA 2, as amended, req. Sen. recede or grant House conference - Goward

BILLS IN CONFERENCE

1 SB 858, as amended - Carter
2 HCS HB 781, as amended - Stokan
3 SCS HS HCS HB 1301 & 1298, as amended, E.C. - McLuckie
4 CCR HCS HB 991, as amended - Koller
5 CCR HS HCS SS SB 560, as amended - May (108)
6 SB 664, as amended - Hartzler (123)
7 SCS HS HB 1368, as amended - May (108)
8 CCR HB 979, as amended - Crump (152)
9 SS SCS HS HCS HB 1207, 1288, 1408 & 1409, as amended E.C. - Tate
10 CCR HCS HB 1159,842 & 799, as amended - Scheve

HOUSE CONCURRENT RESOLUTION

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

SENATE CONCURRENT RESOLUTION

SCR 28, (5-1-96 pgs 9 & 10) -

HOUSE RESOLUTIONS

HR 1228, (5-14-96) - Skaggs

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SEVENTY-FIFTH DAY, Wednesday, May 15, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

Gracious God, in this moment when we pause to acknowledge a power that is greater than our own, let us believe, let us hope, and let us feel your presence. In our hearts are fears and frustrations, and we can't help but view the future of our world without misgivings when we read and hear of war and brutality around the world. If there is a way for us to live at peace with other nations, show and guide our leaders to practice justice in all that they do.

As these representatives push ahead to the last days of this session, help them be patient . Sometimes we find it is harder to wait than to work. In these last days, let your guiding hand move among the actions to be taken and the decisions yet to be made. And in the final analysis, may those who labor here rest assured that they have done their best for the people of Missouri. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lyndsey Deibel, Edward Rochester, Tom Joad, Mary Shelley, Holden Caulfield, Tyler Herrelson, Whitney Herrelson and Quinn Herrelson.

The Journal of the seventy-fourth day was approved as corrected.

RESOLUTIONS

Representative Vogel offered House Resolution No. 1284, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 1285, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Fiebelman and Koller offered House Resolution No. 1286, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Fiebelman offered House Resolution No. 1287, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Daniels, Backer and Richardson offered House Resolution No. 1288, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Evans offered House Resolution No. 1289, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution No. 1290, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Froelker offered House Resolution No. 1291, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum (112) offered House Resolution No. 1292, which was referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE RESOLUTIONS

Representatives Gaw, Daniels, Backer and Richardson, joined by the entire House, offered House Resolution No. 1288, which was read.

House Resolution No. 1288

Whereas, as the hectic days of the Second Regular Session of the Eighty-eighth General Assembly draw to a close, the members of the Missouri House of Representatives take pause to recognize an individual who has made an invaluable contribution to the general effectiveness of this legislative body; and

Whereas, Wayne Blair of New Bloomfield came to the aid of the House of Representatives a few weeks ago to assume the duties and responsibilities of Reading Clerk; and

Whereas, Wayne Blair brought to that important position a vast wealth of experience gained while serving as Reader from 1969 through 1971 and from 1989 through 1991; and

Whereas, Wayne Blair is to be commended for the prompt and zealous manner that he responded to the House's request for service in an emergency situation created by the unexpected resignation of the former Reader; and

Whereas, Wayne Blair's overall record of achievement also includes service as research analyst for the Oversight Division of the Committee on Legislative Research (1991 to the present), as Callaway County Collector (1975-1979), and as Callaway County Western District Judge (1971- 1974), having distinguished himself as the youngest "judge" in the state of Missouri with his election at the age of 24; and

Whereas, a resident of New Bloomfield, Wayne Blair is not only famous for his fast, fast cars -- especially his red Corvette, but also infamous for his attempt in the 1960s to drown the highly respected Representative from the 20th Legislative District, who currently enjoys the status of Majority Floor Leader:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, join unanimously in expressing deep gratitude to Wayne Blair for the competent, unselfish, and faithful way in which he has gone above and beyond the call of duty in service to this august body and the citizens of this great state; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for Wayne Blair, as a mark of our esteem for him.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 1288 was adopted.

HR 1228, relating to employees for interim period, was taken up by Representative Skaggs.

On motion of Representative Skaggs, **HR 1228** was adopted.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **HB 876, CCS SS SCS HB 974, CCS HS HB 832 and HB 773**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

BILLS IN CONFERENCE

CCR HCS HB 991, as amended, relating to motor carriers, was taken up by Representative Koller.

Representative Koller moved that **CCR HCS HB 991, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 074

Auer	Backer	Barry 100	Bonner	Boucher
Bray 84	Carter	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Davis	Days	Dougherty
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Garnett	Gibbons	Goward

Green	Gunn	Hagan-Harrell	Hand	Harlan
Heckemeyer	Jacob	Kauffman	Kelly 27	Klumb
Koller	Leake	Liese	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Montgomery	Morgan	Murphy	Murray 69	Nordwald
O'Connor	O'Neill	Overschmidt	Pauley	Prost
Reynolds	Ribaudo	Rizzo	Scheve	Schilling
Sears 1	Shear 83	Shelton 57	Stokan	Stoll
Thomason 163	Treadway	Troupe	Van Zandt	Ward
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 083

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Canuteson	Champion	Childers	Chrismer	Cierpiot
Clayton	Daniels 41	Donovan	Edwards-Pavia	Elliott
Enz	Foster	Froelker	Gaskill	Graham
Gratz	Griesheimer	Gross	Hall	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Keeven	Kelley 47
Kissell	Kreider	Lakin	Legan	Levin
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 133	Monaco	Murray 135	Naeger
O'Toole	Oetting	Ostmann	Pouche	Pryor
Relford	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Sheldon 104
Shields	Smith	Sombart	Steen	Summers
Surface	Tate	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 005

Bland	Ford	Hickey	Skaggs	Thompson 37

VACANCY: 001

Representative Koller moved that the House refuse to adopt **CCR HCS HB 991, as amended,** and request the Senate to grant the House a further conference.

Which motion was adopted.

CCR HB 979, as amended, relating to property covenants and easements, was taken up by Representative Crump (152).

On motion of Representative Crump (152), **CCR HB 979, as amended**, was adopted by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Foley	Foster	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Hand	Harlan	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Neill

O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Boucher	Farmer	Ford	Franklin	Hartzler 123
Ribaudo	Thompson 37	Whiteside	Witt	

VACANCY: 001

On motion of Representative Crump (152), **HB 979, as amended by the CCR,** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hand	Harlan	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Ward
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Boucher	Farmer	Ford	Hall	Hartzler 123
Klumb	McLuckie	Ribaudo	Thompson 37	

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Hickey, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

CCR HCS HBs 1159, 842 and 799, as amended, relating to bingo, was taken up by Representative Scheve.

On motion of Representative Scheve, **CCR HCS HBs 1159, 842 and 799, as amended,** was adopted by the following vote:

AYES: 103

Auer	Backer	Barry 100	Bland	Bonner
Bray 84	Broach	Brown	Canuteson	Carter
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Farnen	Fiebelman	Fitzwater
Foley	Franklin	Garnett	Goward	Graham
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Heckemeyer	Hickey	Hoppe
Hosmer	Jacob	Kauffman	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Levin	Liese	Lograsso	Long	Lumpe
May 108	Mays 50	McBride	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Overschmidt	Pauley	Pouche	Pryor	Relford
Reynolds	Ridgeway	Rizzo	Ross	Scheve
Schilling	Schwab	Sears 1	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wieland	Wiggins	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 049

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Burton	Champion	Childers	Chrismer
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Gaskill	Gibbons	Gross	Hall
Hand	Hartzler 124	Hegeman	Hendrickson	Hohulin
Howerton	Kasten	Keeven	Kelley 47	Legan
Linton	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	McClelland	Ostmann	Richardson	Robirds
Scott	Secrest	Sombart	Steen	Summers
Surface	Wannenmacher	Whiteside	Williams 121	

PRESENT: 000

ABSENT WITH LEAVE: 010

Bennett 15	Boucher	Farmer	Ford	O'Neill
Prost	Ribaudo	Sallee	Thompson 37	Ward

VACANCY: 001

On motion of Representative Scheve, **HCS HBs 1159, 842 and 799, as amended by the CCR,** was read the third time and passed by the following vote:

AYES: 106

Auer	Backer	Barry 100	Bennett 15	Bland
Bonner	Boucher	Bray 84	Brown	Canuteson
Carter	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Froelker
Garnett	Graham	Gratz	Green	

Griesheimer				
Gunn	Hagan-Harrell	Harlan	Hartzler 123	
Heckemeyer				
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Levin	Liese
Lograsso	Long	Lumpe	May 108	Mays 50
McBride	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Ridgeway
Rizzo	Ross	Scheve	Schilling	Schwab
Sears 1	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wiggins	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 048

Akin	Alter	Ballard	Barnett 4	
Bartelsmeyer				
Boatright	Broach	Burton	Champion	Childers
Chrismer	Elliott	Enz	Evans	Foster
Gaskill	Gibbons	Gross	Hall	Hand
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Keeven	Kelley 47	Legan	Linton	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	
McClelland				
Ostmann	Richardson	Robirds	Sallee	Scott
Secrest	Sombart	Summers	Surface	
Wannenmacher				
Whiteside	Wieland	Williams 121		

PRESENT: 000

ABSENT WITH LEAVE: 008

Daniel 42	Farmer	Goward	O'Neill	Reynolds
Ribaudo	Steen	Ward		

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SB 560, as amended** and has taken up and passed **CCS HS HCS SS SB 560**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SBs 723 & 891, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS SB 757, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 769, as amended,** and has taken up and passed **HCS SB 769, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SS SB 981** and has taken up and passed **HS SS SB 981**.

Emergency Clause Adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to

recede from its position on **SA 1, SA 2, as amended, to HB 1098** and grants the House a conference thereon.

BILL IN CONFERENCE

CCR HS HCS SS SB 560, as amended, relating to removal of abandoned property, was taken up by Representative May (108).

On motion of Representative May (108), **CCR HS HCS SS SB 560, as amended**, was adopted by the following vote:

AYES: 140

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Ford	Foster
Franklin	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Griesheimer	Gunn	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hendrickson	Hickey	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Relford	Reynolds	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 012

Boatright	Froelker	Gross	Hegeman	Hohulin
Howerton	Lograsso	Murphy	Richardson	Ridgeway
Steen	Whiteside			

PRESENT: 000

ABSENT WITH LEAVE: 010

Canuteson	Crump 152	Farmer	Foley	Green
Mays 50	O'Neill	Pryor	Ribaudo	Ward

VACANCY: 001

On motion of Representative May (108), **CCS HS HCS SS SB 560** was truly agreed to and finally passed by the following vote:

AYES: 139

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gunn	Hall	Hand	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hendrickson	Hickey	Hoppe

Hosmer	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Prost	Reynolds	Richardson
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 009

Boatright	Gross	Hegeman	Hohulin	Howerton
Lograsso	Murphy	Ridgeway	Whiteside	

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Dougherty	Farmer	Froelkert	Hagan-Harrell
O'Neill	Pouche	Pryor	Relford	Ribaudo
Scott	Steen	Thompson 37	Ward	

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Reynolds, title to the bill was agreed to.

Representative Pauley moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

THIRD READING OF SENATE BILL

HCS SCS SBs 884 and 841, relating to mental health, was taken up by Representative Witt.

Representative Witt offered **HS HCS SCS SBs 884 and 841**.

Representative Witt offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 7, section 552.040, line 5, by inserting before the word "acquitted" on said line, the words "**tried and**"; and

Further amend, page 9, section 552.040, line 7, by inserting before the word "acquitted" on said line, the words "**tried and**"; and

Further amend, page 83, section 632.005 (13) line 20, by inserting a quotation mark after the word "program"

On motion of Representative Witt, House Amendment No. 1 was adopted.

Representative Wieland offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 45, section 630.115, lines 9 and 10, by deleting the following: "**, except as provided in this chapter**"; and

Further amend said bill, page 66, section 630.192, lines 1 through 10, by deleting all of said lines and inserting in lieu thereof the following: "direct therapeutic benefit to the participants. No involuntary patient shall

participate in any research.";

Representative Wieland moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 019

Boatright	Broach	Cierpiot	Edwards-Pavia	Evans
Foster	Froelker	Hall	Hartzler 124	Hohulin
Keeven	Loudon	Marshall 133	Murphy	Richardson
Ridgeway	Scott	Steen	Wieland	

NOES: 133

Auer	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boucher
Bray 84	Brown	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Elliott
Enz	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Garnett	Gaskill
Gibbons	Goward	Graham	Green	Griesheimer
Gross	Hagan-Harrell	Hand	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Alter	Bonner	Gratz	Gunn	Kissell
Lograsso	O'Neill	Ribaudo	Thompson 37	Ward

VACANCY: 001

HCS SCS SBs 884 and 841, with HS, as amended, pending, was laid over.

MOTIONS

Representative Rizzo moved that the House refuse to recede from its position on **HCS SS SCS SBs 723 and 891, as amended,** and grant the Senate a conference and that the conferees be allowed to exceed the differences.

Which motion was adopted.

Representative Sears (1) moved that the House refuse to recede from its position on **HS SB 757, as amended,** and grant the Senate a conference.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with a like committee from the Senate on the following bills:

HB 1098: Representatives Goward, Lumpe, Koller, Gibbons and Elliott
HCS SS SCS SBs 723 and 891: Representatives Rizzo, May (108), Smith, Broach

and Edwards-Pavia

HS SB 757: Representatives Sears (1), Leake, Wiggins, Summers and Howerton

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Representative Smith.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Yvonne Wilson, Katrina Ashford, Monika Goward, Shari Wilson, Tyler Herrelson, Whitney Herrelson and Quinn Herrelson.

RESOLUTIONS

Representative Levin offered House Resolution Nos. 1293 through 1319, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hohulin offered House Resolution No. 1320, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Gaw offered House Resolution No. 1321, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gaw and Wiggins offered House Resolution No. 1322, which was referred to the Committee on Miscellaneous Bills and Resolutions.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SCS SBs 723 & 891, as amended**: Senators House, Johnson, Caskey, Rohrbach and Sims.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 757, as amended**: Senators Maxwell, Howard, Lybyer Westfall and Russell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SB 888, as amended**: Senators Goode, Lybyer, Mathewson, Mueller and Russell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representative that the Senate grants the House a further conference on **HCS HB 991, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HB 1098, as amended**: Senators Scott, Wiggins, Lybyer, Flotron and Treppler.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS HB 991: Representatives Koller, Bray, Van Zandt, Ostmann and Cooper

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representative that the conferees are allowed to exceed the differences on **HCS SS SCS SBs 723 & 891, as amended**, for the purpose of adding an emergency clause.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 979, as amended**, and has taken up and passed **HB 979 as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS HB 991, as amended**: Senators Staples, Banks, McKenna, Sims and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS HBs 1159, 842 & 799, as amended**, and has taken up and passed **HCS HBs 1159, 842 & 799, as amended by the CCR**.

THIRD READING OF SENATE BILLS

HCS SCS SBs 884 and 841, **with HS, as amended, pending**, relating to mental health, was again taken up by Representative Witt.

Representative Schilling offered House Amendment No. 3.

Representative Shields raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Lograsso offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 14, section 552.040, line 13 of said page, by deleting the words "unless the" and by deleting lines 14 through 22 of said page and by deleting the word "detained" on line 1 of page 15.; and

Further amend said bill, page 16, section 552.040, lines 11 through 13, by deleting the words "and jurisdiction is not transferred to the court having probate jurisdiction within thirty days".

On motion of Representative Lograsso, House Amendment No. 3 was adopted.

Representative Wieland offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 45, section 630.115, line 11, by inserting:

(9) To decide not to participate or may withdraw from any research at any time for any reason; and

Further amend said bill by renumbering the remainder of the section.

On motion of Representative Wieland, House Amendment No. 4 was adopted.

Representative Gaskill offered House Amendment No. 5.

House Amendment No. 5

Amend House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills 884 & 841, page 69, section 630.620, by inserting after said section, the following:

"630.710. 1. The standards contained in the rules shall particularly provide for the following:

(1) Admission and commitment criteria, which shall be based upon diagnoses;

(2) Care, treatment, habilitation or rehabilitation;

(3) General medical and health care;

(4) Adequate physical plant facilities, including fire safety, housekeeping and maintenance standards;

(5) Food service facilities;

(6) Safety precautions;

(7) Drugs and medications;

(8) Uniform system of recordkeeping;

(9) Resident or client rights and grievance procedures;

(10) Adequate staff.

2. By August 28, 1997, the rules shall require a criminal record review from the highway patrol for all staff in the residential facility and day program who have unsupervised contact with persons affected by a mental disorder, mental illness, mental retardation or a developmental disability.

[2] **3**. The rules containing the standards for living units within facilities or homes shall provide for such classifications

of the living units as are small enough to insure programs based upon the personal needs of the resident as determined by

individualized habilitation or treatment plans. The units may include distinct parts of other facilities such as wards, wings

or floors."; and

Amend title and enacting clause accordingly.

On motion of Representative Gaskill, House Amendment No. 5 was adopted.

Representative Childers offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 48, section 630.140, line 5, by inserting after the word "records" on said line the following: "including medication given, dosage levels, and individual ordering such medication"

On motion of Representative Childers, House Amendment No. 6 was adopted.

Representative Bartelsmeyer offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 2, section 208.309, line 18, by striking the words "Elders Volunteer for Elders Project (EVE)" and inserting in lieu thereof the words "Senior Independence (SI)" ; and

further amend said bill, page and section, line 20 by inserting after the word "application" the words "of organization defined below for the purpose of" and further amend said line by striking the word "and award grants to at least" and insert in lieu thereof the words "awarding grants"; and

further amend said bill, page 2 and 3, section 208.309, lines 21 and 22 of page 2 and lines 1- 6 of page 3 by striking all of said lines and inserting in lieu thereof the following:

"to such organizations for the provision of services designed to prevent the premature or unnecessary institutionalization of Missouri's low income elderly citizens."; and

further amend said bill, page 3, line 9, by striking the words "community provider"; and further amend said bill, page 4, line 9, by striking the term "EVE" and inserting in lieu thereof the term "SI" ; and further amend said bill, page 5, line 1, by striking the words "community provider" and further amend said bill, page 5, lines 3-8 by striking all of said lines and inserting in lieu thereof the words "this section"; and

further amend said bill, page 5, line 10, by striking the words "community provider".

Representative Witt raised a point of order that House Amendment No. 7 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Bartelsmeyer moved that House Amendment No. 7 be adopted.

Which motion was defeated by the following vote:

AYES: 077

Akin	Alter	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Boatright	Broach	Brown
Burton	Champion	Childers	Chrismer	Cierpiot
Cooper	Crum 112	Edwards-Pavia	Elliott	Enz
Evans	Foster	Froelker	Garnett	Gaskill
Graham	Gratz	Gross	Hall	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Keeven	Kelley 47	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 133	Murphy	Murray 135
Naeger	Nordwald	O'Connor	Oetting	Ostmann
Pouche	Prost	Pryor	Ribaudo	

Richardson				
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Shields	Sombart	Steen
Summers	Surface	Treadway	Vogel	
Wannenmacher				
Whiteside	Wieland			

NOES: 083

Auer	Backer	Bland	Bonner	Boucher
Bray 84	Canuteson	Carter	Clayton	Copeland
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Gibbons	Goward
Green	Griesheimer	Gunn	Hagan-Harrell	Hand
Harlan	Heckemeyer	Hickey	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Lumpe
Marshall 26	May 108	Mays 50	McBride	
McClelland				
McLuckie	Monaco	Montgomery	Morgan	Murray 69
O'Neill	O'Toole	Overschmidt	Pauley	Relford
Reynolds	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Stokan	Stoll	Tate	Thomason 163	Troupe
Van Zandt	Ward	Wiggins	Williams 121	Williams
159				
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 002

Crump 152	Thompson 37

VACANCY: 001

Representative Scott offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 87, line 10, by adding after line 10 the following: A person commits the crime of "fraudulent involuntary commitment" if such person knowingly commits or attempts or attempts to have committed any person involuntarily to a mental health facility, knowing the person being or attempted to be committed does not fit the qualifications of chapters 630, 631, 632 or 633 RSMo. A person found guilty of the crime of involuntary commitment shall be guilty of a class A misdemeanor unless such person has been found guilty of said crime previously in which case they would be found guilty of a class D felony.

Representative Scott moved that House Amendment No. 8 be adopted.

Which motion was defeated by the following vote:

AYES: 052

Akin	Barnett 4	Bartelsmeyer	Bennett 15	Boatright
Broach	Burton	Champion	Chrismer	Cierpiot
Cooper	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Hall	Hartzler
123				
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Keeven	Kelley 47	Kreider	Legan	Levin
Linton	Long	Loudon	Marble	Marshall
133				
Murphy	Naeger	Oetting	Pouche	Pryor
Richardson	Ridgeway	Sallee	Schwab	Scott
Secrest	Sheldon 104	Shields	Steen	Summers
Surface	Wieland			

NOES: 103

Alter	Auer	Backer	Ballard	Barry 100
Bland	Bonner	Boucher	Bray 84	Brown
Canuteson	Carter	Childers	Clayton	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Farmer	Farnen	Fiebelman
Fitzwater	Ford	Franklin	Garnett	Gibbons
Goward	Graham	Gratz	Green	

Griesheimer				
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kasten	Kauffman	Kelly 27	Kissell	Klumb
Koller	Lakin	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	
McClelland				
McLuckie	Monaco	Montgomery	Morgan	Murray 69
Murray 135	Nordwald	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Pauley	Prost	Relford
Reynolds	Ribaudo	Rizzo	Robirds	Scheve
Schilling	Sears 1	Shear 83	Shelton 57	Skaggs
Smith	Sombart	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Williams 121	Williams
159				
Witt	Wooten	Mr. Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Copeland	Foley	Leake	Lograsso	Ross
Thompson 37	Wiggins			

VACANCY: 001

Representative Hosmer offered House Amendment No. 9.

Representative Witt raised a point of order that House Amendment No. 9 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Gross offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 884 and 841, page 83, section 632.005 (10), line 3, by inserting following the word "professional" the words "**employed by the state of Missouri**"

On motion of Representative Gross, House Amendment No. 9 was adopted.

On motion of Representative Witt, **HS HCS SCS SBs 884 and 841, as amended**, was adopted.

On motion of Representative Witt, **HS HCS SCS SBs 884 and 841, as amended,** was read the third time and passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels
41				
Davis	Days	Donovan	Dougherty	Edwards-
Pavia				
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hand	Harlan	Hartzler 123	Hartzler
124				
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall
26				
Marshall 133	May 108	Mays 50	McBride	
McClelland				
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Neill

O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 157	Secrest	Shear 83	Sheldon 104	Shelton
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Farmer	Hagan-Harrell	Hall	Kissell	O'Connor
Prost	Ward			

VACANCY: 001

Representative Smith declared the bill passed.

On motion of Representative Franklin, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Hosmer moved that motion lay on the table.

The latter motion prevailed.

SB 661, relating to conservation investigative assistants, was taken up by Representative McBride.

Representative McBride offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 661, Page 1, Section 252.068, Line 1, by inserting immediately before all of said line the following:

"252.045. 1. No motor vehicle shall be operated within the boundary of any land owned, leased or managed by the Missouri conservation commission except upon roads, thoroughfares or areas specifically designated for travel by the commission. Except as otherwise specifically posted by the commission, or established by other governmental authority, the speed limit within any land owned, leased or managed by the Missouri conservation commission shall be forty-five miles per hour.

2. **Except as otherwise provided in this subsection,** swimming, camping, shooting, fires, fireworks, use of firearms, digging, **cutting or removal of vegetation,** tree stands, horses, pets, cave exploring, **entry on areas closed to public use,** bicycling **[**and**],** the operation and parking of **[**motor-driven land**] all land and water** conveyances**, trailers,** and aircraft are permitted only where, when, and in the manner specifically authorized by the commission on all wildlife refuges, wildlife management areas, state forests, natural areas, lakes, fishing accesses and all land and waters owned, leased or managed by the commission. **Upon providing reasonable prior notification to the commission, a public utility, rural electric cooperative or railroad may cut or remove vegetation from, and construct and maintain utility services on, easement areas granted by the commission and other areas covered pursuant to the terms of existing agreements. Reasonable prior notification shall take into account weather conditions and work schedules, and shall not be required for the restoration of essential utility services.**

3. No person shall discard solid waste, garbage, refuse**[**,**]** or other materials on any lands or waters described in this section. No person shall discard solid waste, garbage, refuse**[**,**]** or other materials in a solid waste receptacle located on lands described in this section if the discarded materials were generated outside the boundaries of such lands." ; and

Further amend said bill in the title and enacting clause accordingly.

On motion of Representative McBride, House Amendment No. 1 was adopted.

On motion of Representative McBride, **SB 661, as amended,** was read the third time and passed by the following vote:

AYES: 149

Akin	Alter	Backer	Ballard	Barnett 4

Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Fitzwater
Ford	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hand
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 002

Auer	Foster

PRESENT: 000

ABSENT WITH LEAVE: 011

Farmer	Foley	Hall	Hohulin	Kissell
May 108	Shields	Thompson 37	Ward	Wiggins

Witt

VACANCY: 001

Representative Smith declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Pauley moved that the motion lay on the table.

The latter motion prevailed.

SB 876, with House Committee Amendment No. 1, relating to gubernatorial appointments, was taken up by Representative Bray.

Representative Loudon raised a point of order that House Committee Amendment No. 1 is not germane to the bill.

Representative Jacob raised a point of order that the point of order on House Committee Amendment No. 1 is not timely.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the points of order not well taken.

On motion of Representative Bray, House Committee Amendment No. 1 was adopted.

Representative Hartzler (124) offered House Amendment No. 1.

Seventy-fifth Day-Wednesday, May 15, 1996

House Amendment No. 1

AMEND Senate Bill No. 876, Page 1, In the Title, Lines 2 and 3, by striking out all of said lines and inserting in lieu thereof the following: "To repeal sections 210.775 and 210.776, RSMo, Supp. 1995, relating to certain boards and

commissions, and to enact in lieu thereof three new sections relating to the same subject with an expiration date for certain sections."; and

Further amend said bill, Section A, Lines 1 and 2, by striking out all of said lines and inserting in lieu thereof the following:

"Section A. Sections 210.775 and 210.776, RSMo Supp. 1995, are repealed and three new sections enacted in lieu thereof, to be known as sections "26.301, 210.775, and 210.776, to read as follows:"; and

Further amend said bill, Page 1, Section 26.301, Line 9, by inserting immediately after said line the following:

"**210.775. 1. There is hereby created the "Missouri Foster and Group Home Placement Task Force". The task force shall consist of the following members:**

(1) The director of the department of mental health, or the designee of the director;

(2) The director of the division of mental retardation and developmental disabilities, or the designee of the director;

(3) The director of the division of comprehensive psychiatric services, or the designee of the director;

(4) The director of the department of social services, or the designee of the director;

(5) The director of the division of family services, or the designee of the director;

(6) The director of the division of youth services, or the designee of the director;

(7) The commissioner of the department of elementary and secondary education, or the designee of the commissioner;

(8) An elementary school administrator and an elementary school special education teacher, appointed by the governor;

(9) A secondary school administrator and a secondary school special education teacher, appointed by the governor;

(10) Four foster parents, one of whom shall be from a noncharter county of the first classification containing a population in excess of two hundred thousand and one of whom shall be from that portion of a metropolitan statistical area, as defined by the federal Office of Management and Budget or its successor agency, within the boundaries of Missouri with a population of at least one million nine hundred thousand inhabitants and two administrators of a residential care facility for children, appointed by the governor;

(11) A member of the judiciary, who currently serves as a family court judge, appointed by the chief justice of the supreme court.

2. Members of the task force who are appointed by the governor shall be appointed with the advice and consent of the senate. No member of the task force shall receive compensation for the performance of duties related to the task force but shall be reimbursed for reasonable and necessary expenses incurred in the performance of such duties.

3. The division of family services shall convene, organize and provide support services for the Missouri foster and group home placement task force.

[210.775. 1. There is hereby created the "Missouri Foster and Group Home Placement Task Force". The task force shall consist of the following members:

(1) The director of the department of mental health, or his designee;

(2) The director of the division of mental retardation and developmental disabilities, or his designee;

(3) The director of the division of comprehensive psychiatric services, or his designee;

(4) The director of the department of social services, or his designee;

(5) The director of the division of family services, or his designee;

(6) The director of the division of youth services, or his designee;

(7) The commissioner of the department of elementary and secondary education, or his designee;

(8) An elementary school administrator and an elementary school special education teacher, appointed by the governor;

(9) A secondary school administrator and a secondary school special education teacher, appointed by the governor;

(10) Two foster parents and two administrators of a residential care facility for children, appointed by the governor;

(11) A member of the judiciary, who currently serves as a family court judge, appointed by the chief justice of the supreme court.

2. Members of the task force who are appointed by the governor shall be appointed with the advice and consent of the senate. No member of the task force shall receive compensation for the performance of duties related to the task force but shall be reimbursed for reasonable and necessary expenses incurred in the performance of such duties.]

210.776. 1. The task force shall conduct a study of the current status of foster home and residential care facility placement of children in this state. At the completion of the study, the task force shall submit a report of the findings of the study and recommendations for changes to the governor, the speaker of the house of representatives and the president pro tem of the senate. The study shall establish baseline data and make recommendations regarding at least the following:

(1) The number of children's residential care facilities and foster homes and the actual and licensed capacities of such facilities in each school district in relation to the population of the school district;

(2) The training and qualifications of foster parents and personnel in residential care facilities;

(3) The amount paid to each foster home or residential care facility and the amount paid for each child and options to reimburse school districts for additional educational services provided to children placed in such homes or facilities;

(4) The proximity of children in homes or facilities to schools providing special education services and transportation costs to the schools;

(5) The administrative process whereby a child is moved from one out-of-home placement to another;

(6) The processing, updating and handling of children's records as children are transferred;

(7) The availability of social workers or case managers to aid school districts which have a disproportionate share of children with special needs who are placed in the district by a state agency;

(8) The visitation and accountability of social workers or case managers assigned to children in foster homes or residential care facilities;

(9) The agencies responsible for children's placement issues and options for coordination and consolidation;

(10) The number and location of satellite homes associated with facilities;

(11) The safety procedures needed regarding the notification of law enforcement and fire departments of the location and special needs of residents.

2. Sections 210.775 and 210.776 shall expire on January 1, 1998.

[210.776. 1. The task force shall conduct a study of the current status of foster home and residential care facility placement of children in this state. Such study shall be completed by October 31, 1995. At the completion of the study, the task force shall submit a report of the findings of the study and recommendations for changes to the governor, the speaker of the house of representatives and the president pro tem of the senate. The study shall establish baseline data and make recommendations regarding at least the following:

(1) The number of children's residential care facilities and foster homes and the actual and licensed capacities of such facilities in each school district in relation to the population of the school district;

(2) The training and qualifications of foster parents and personnel in residential care facilities;

(3) The amount paid to each foster home or residential care facility and the amount paid for each child and options to reimburse school districts for additional educational services provided to children placed in such homes or facilities;

(4) The proximity of children in homes or facilities to schools providing special education services and transportation costs to the schools;

(5) The administrative process whereby a child is moved from one out- of-home placement to another;

(6) The processing, updating and handling of children's records as children are transferred;

(7) The availability of social workers or case managers to aid school districts which have a disproportionate share of children with special needs who are placed in the district by a state agency;

(8) The visitation and accountability of social workers or case managers assigned to children in foster homes or residential care facilities;

(9) The agencies responsible for children's placement issues and options for coordination and consolidation;

(10) The number and location of satellite homes associated with facilities;

(11) The safety procedures needed regarding the notification of law enforcement and fire departments of the location and special needs of residents.

2. Sections 210.775 and 210.776 shall expire on January 1, 1996.]".

On motion of Representative Hartzler (124), House Amendment No. 1 was adopted.

Representative Pouche offered House Amendment No. 2.

House Amendment No. 2

AMEND Senate Bill No. 876, page 1, section 26.301, line 9, by inserting after the period on said line the following:

"**Notwithstanding any provision of law to the contrary, no member of any commission or board, appointed to such position by the governor, shall receive pay or expenses after sixty days after the expiration of such member's term unless such member is reappointed within such sixty days.**"

Representative Pouche moved that House Amendment No. 2 be adopted.

Which motion was defeated by the following vote:

AYES: 068

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Champion
Chrismer	Cierpiot	Cooper	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Foster	Froelker
Garnett	Gibbons	Graham	Griesheimer	Gross
Hand	Hartzler 123	Hartzler 124	Hegeman	Hohulin
Howerton	Kasten	Keeven	Kelley 47	Legan
Levin	Linton	Lograsso	Long	Loudon
Marble	McClelland	Murphy	Murray 135	Naeger
Nordwald	Oetting	Pouche	Pryor	Richardson
Ridgeway	Robirds	Ross	Sallee	Schwab
Scott	Secrest	Sheldon 104	Shields	Smith
Steen	Summers	Surface	Vogel	Wannenmacher
Whiteside	Wieland	Wooten		

NOES: 081

Auer	Backer	Bonner	Boucher	Bray 84
Brown	Canuteson	Carter	Childers	Clayton
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Dougherty	Farmer	Farnen	Fiebelman
Fitzwater	Ford	Franklin	Gaskill	Goward
Gratz	Green	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hendrickson	Hickey	Hosmer	Jacob
Kauffman	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Liese	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McLuckie	Monaco	Montgomery	Morgan	Murray 69
O'Connor	O'Neill	O'Toole	Overschmidt	Prost
Relford	Reynolds	Rizzo	Scheve	Schilling
Sears 1	Shear 83	Shelton 57	Skaggs	Sombart
Stokan	Stoll	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Wiggins	Williams 121	Williams 159

Mr. Speaker

PRESENT: 001

Barry 100

ABSENT WITH LEAVE: 012

Bland	Crump 152	Foley	Hall	Hoppe
Kelly 27	Ostmann	Pauley	Ribaudo	Thompson 37

Ward	Witt			

VACANCY: 001

Representative Shear offered House Amendment No. 3.

House Amendment No. 3

AMEND Senate Bill No. 876, page 1, section 76.301, by inserting after said section, the following:

"105.010. **1.** All officers elected or appointed by the authority of the laws of this state shall hold their offices until their successors are elected or appointed, commissioned and qualified.

2. The membership of all administrative boards, commissions and committees shall be gender balanced to the greatest extent possible."; and

Further amend title and enacting clause accordingly.

Representative Hohulin raised a point of order that House Amendment No. 3 is not germane to the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Shear moved that House Amendment No. 3 be adopted.

Which motion was defeated by the following vote:

AYES: 065

Auer	Backer	Bland	Boucher	Bray 84
Broach	Brown	Carter	Copeland	Crum 112
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Goward	Green
Gunn	Hagan-Harrell	Heckemeyer	Hosmer	Jacob
Kauffman	Klumb	Lakin	Leake	Liese
Lumpe	Marshall 26	Mays 50	McLuckie	Monaco
Morgan	Murray 69	O'Connor	O'Toole	Overschmidt
Relford	Reynolds	Rizzo	Scheve	Schilling
Shear 83	Shelton 57	Skaggs	Smith	Stokan
Stoll	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Wiggins	Williams 121	Williams 159	Witt

NOES: 082

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Clayton
Cooper	Elliott	Enz	Evans	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Griesheimer	Gross	Hand	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hickey	Hohulin
Howerton	Kasten	Keeven	Kelley 47	Kissell
Koller	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 133
McBride	McClelland	Montgomery	Murphy	Murray 135
Naeger	Nordwald	O'Neill	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shields	Sombart	Steen
Summers	Surface	Vogel	Wannenmacher	Whiteside
Wieland	Wooten			

PRESENT: 001

Barry 100

ABSENT WITH LEAVE: 014

Crump 152	Edwards-Pavia	Hall	Harlan	Hoppe
Kelly 27	Kreider	May 108	Pauley	Prost
Ribaudo	Thompson 37	Ward	Mr. Speaker	

VACANCY: 001

On motion of Representative Bray, **SB 876, as amended,** was read the third time and passed by the following vote:

AYES: 124

Alter	Auer	Backer	Barry 100	Bartelsmeyer
Bennett 15	Bland	Bonner	Boucher	Bray 84
Brown	Canuteson	Carter	Champion	Childers
Cooper	Copeland	Crum 112	Daniel 42	Daniels 41
Davis	Days	Dougherty	Edwards-Pavia	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Griesheimer
Gross	Gunn	Hagan-Harrell	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hendrickson	Hickey
Hoppe	Hosmer	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Long	Luetkenhaus	Lumpe	Marshall 26	Marshall 133
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Relford
Reynolds	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 027

Akin	Ballard	Boatright	Broach	Burton
Chrismer	Cierpiot	Clayton	Elliott	Foster
Froelker	Hegeman	Hohulin	Howerton	Keeven
Linton	Lograsso	Loudon	Marble	Naeger
Pryor	Richardson	Ridgeway	Steen	Summers
Surface	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 011

Barnett 4	Crump 152	Donovan	Green	Hall
Kissell	May 108	Pauley	Ribaudo	Thompson 37
Ward				

VACANCY: 001

Representative Smith declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 101

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Brown	Canuteson	Carter
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Garnett	Goward
Gratz	Green	Griesheimer	Gunn	Hagan-Harrell
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hickey
Hoppe	Hosmer	Jacob	Kauffman	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Liese	Luetkenhaus	Lumpe	Marshall

Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murray 69
Murray 135	Nordwald	O'Connor	O'Neill	O'Toole
Ostmann	Overschmidt	Prost	Relford	Reynolds
Ribaudo	Rizzo	Robirds	Scheve	Schilling
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 058

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Champion
Childers	Chrismer	Cierpiot	Edwards-Pavia	Elliott
Enz	Evans	Foster	Froelker	Gaskill
Gibbons	Graham	Gross	Hand	Hegeman
Hendrickson	Hohulin	Howerton	Kasten	Keeven
Kelley 47	Legan	Levin	Linton	Lograsso
Long	Loudon	Marble	Murphy	Naeger
Oetting	Pouche	Pryor	Richardson	Ridgeway
Ross	Sallee	Schwab	Scott	Sombart
Steen	Summers	Surface	Vogel	Wannenmacher
Whiteside	Wieland	Wooten		

PRESENT: 000

ABSENT WITH LEAVE: 003

Hall	Pauley	Ward

VACANCY: 001

On motion of Representative Van Zandt, title to the bill was agreed to.

Representative Morgan moved that the vote by which the bill passed be reconsidered.

Representative Montgomery moved that motion lay on the table.

The latter motion prevailed.

SCS SB 719, with House Committee Amendment No. 1, relating to public administrators, was taken up by Representative Lakin.

Representative Lograsso offered House Amendment No. 1 to House Committee Amendment No. 1.

House Amendment No. 1

to

House Committee Amendment No. 1

AMEND House Committee Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 719, page 1, section 483.163, line 4, of said section, by deleting subsection 2 and renumbering subsection 3 as "2"

Representative Lograsso moved that House Amendment No. 1 to House Committee Amendment No. 1 be adopted.

Which motion was defeated by the following vote:

AYES: 017

Akin	Broach	Cierpiot	Hartzler 124	Kauffman
Keeven	Kelley 47	Linton	Lograsso	Loudon
Marshall 133	Murphy	Pouche	Shields	Sombart
Stoll	Wieland			

NOES: 134

Alter	Auer	Backer	Ballard	Barnett 4

Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Boucher	Bray 84	Burton	Canuteson	Carter
Champion	Childers	Chrismer	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Prost	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Steen	Stokan
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Wannenmacher	Whiteside	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 011

Bonner	Brown	Elliott	Hall	Hohulin
Pauley	Pryor	Thompson 37	Vogel	Ward

Witt

VACANCY: 001

On motion of Representative Lakin, House Committee Amendment No. 1 was adopted.

Representative Lakin offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Committee Substitute for Senate Bill No. 719, Page 8, Section 473.739, Line 3, by deleting the following: "[twenty-five] **forty-five**" and inserting in lieu thereof the word "twenty-five".

On motion of Representative Lakin, House Amendment No. 1 was adopted.

Representative Lakin offered House Amendment No. 2.

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 719, page 8, section 473.747, lines 6 through 10, by deleting all of said lines and inserting in lieu thereof the following:

"**2. In the discretion of the appointing court, the public administrator may be, in the absence of any other available and appropriate remedy, be appointed the public guardian of the persons of minors and incapacitated persons. In the discretion of the appointing court, the public administrator may serve as a petition in guardianship or conservatorship proceedings in the absence of any other available and appropriate remedy.**"

On motion of Representative Lakin, House Amendment No. 2 was adopted.

Representative Shelton (57) offered House Amendment No. 3.

House Amendment No. 3

AMEND Senate Committee Substitute for Senate Bill No. 719, Page 1, In the Title, Line 2, by inserting after the word "sections" the following: "56.600, 57.550, 59.220, 82.390, 82.520, 82.599,"; and

Further amend said bill, Page 1, In the Title, Line 3, by inserting after the figure "50.333" the following: "and 483.083"; and

Further amend said bill, Page 1, In the Title, Line 4, by deleting the word "six" and inserting in lieu thereof the following: "fourteen"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the word "Sections" the following: "56.600, 57.550, 59.220, 82.390, 82.520, 82.599,"; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after the figure "50.333" the following: "and 483.083"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the word "six" and inserting in lieu thereof the following: "fourteen"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting all of said line and inserting in lieu thereof the following: "50.333, 56.600, 57.550, 59.020, 59.031, 59.220, 82.390, 82.520, 82.599, 473.730, 473.733, 473.739, 473.747, 475.050, 483.083 and 1, to read as"; and

Further amend said bill, Page 6, Section 50.333, Line 182, by inserting after all of said line the following:

"56.600. For the performance of additional duties [imposed by section 32 of article I of the Missouri Constitution and the additional duties imposed by the 1992 revision of section 546.630, RSMo, beginning on January 1, 1994,] **specified by law,** the circuit attorney shall receive an annual salary of [sixty-nine] **eighty-four** thousand nine hundred dollars and this salary shall constitute his sole compensation for all duties required to be performed by him under the law. The circuit attorney's fees shall continue to be taxed as heretofore, but when collected shall be turned into the treasury of the city. All circuit attorney's fees in criminal cases not paid by the state shall be collected by the circuit clerk or responsible clerk and by him paid into the treasury of the city. When such fees are paid by the state, they shall be paid into the city treasury in the manner now provided by law.

57.550. The sheriff of the city of St. Louis shall receive for his services the sum of [sixty] **seventy-eight** thousand dollars per annum. Said sum and the compensation of his deputies and assistants shall be paid out of the treasury of the city of St. Louis in equal semimonthly installments. [For additional duties hereunder imposed,] The sheriff shall mail all petit jury summons.

59.220. In all cities having more than seven hundred thousand inhabitants, the recorder of deeds shall receive as total compensation an annual salary of [fifty-two] **sixty-eight** thousand dollars.

82.390. 1. The license collector of the city of St. Louis shall receive a salary of [fifty-three] **seventy-four** thousand dollars per year, payable as provided in section 82.395.

2. The license collector may appoint one chief deputy, and one assistant deputy license collector, either of whom, in the absence for any cause of the license collector, may perform all the duties of the license collector. The license collector may appoint a cashier, an assistant cashier, a secretary and such other clerks, account clerks and inspectors as are required by the license collector to properly and efficiently perform the duties of his office when such positions are approved by the board of aldermen of such city.

3. The salaries and compensation of the employees enumerated in subsection 2 of this section shall be payable as provided in section 82.395.

4. The license collector, deputy license collector and clerks may administer oaths in the transaction of the business of the office. The license collector and his sureties are responsible for the official acts of all employees appointed by him.

82.520. The salary of the city treasurer shall be, in addition to the amount provided by section 82.516, [forty-nine] **fifty-eight** thousand dollars per annum. The salary of the city treasurer, and the salaries of his deputies, clerks, and assistants, shall be paid out of the city treasury, in equal semimonthly installments.

82.599. Other provisions of law to the contrary notwithstanding, the collector of revenue in a city not within a county shall receive an annual salary of [sixty-four] **seventy-eight** thousand dollars. Such salary shall be paid out of the city treasury, in equal semimonthly installments, and shall be in lieu of all other amounts otherwise provided by law."; and

Further amend said bill, Page 9, Section 475.050, Line 30, by inserting after all of said line the following:

"483.083. 1. Each circuit clerk shall annually receive as compensation the following amounts as base salary:

(1) In counties of the first classification, thirty-six thousand one hundred forty-five dollars; except those counties where court is held in two cities, in which instance an additional four thousand dollars shall be added to the base salary;

(2) In all counties of the second or fourth classification, thirty-one thousand nine hundred seventy-eight dollars; except those counties where court is held in two cities, thirty-five thousand five hundred forty-nine dollars;

(3) In the counties of the third classification, twenty-seven thousand two hundred eighteen dollars except those counties where court is held in two cities; thirty thousand three hundred eight dollars; except Marion County

circuit clerks, district one and district two in Hannibal, thirty-one thousand three hundred eighty-three dollars;

(4) In the city of St. Louis, [sixty-seven thousand three hundred sixty] **eighty-two thousand one hundred sixty-seven** dollars;

(5) The compensation of circuit clerks provided by this subsection shall annually be increased by an amount equivalent to the annual salary adjustment approved pursuant to section 476.405, RSMo, for employees of the judicial department.

2. Such circuit clerks shall receive in addition to any salary provided by this section any salary adjustment provided pursuant to section 476.405, RSMo.

3. In the event the judge orders child support payments in Marion County to be made through the clerk, the clerk shall annually, on or before February first of each year, charge ten dollars per year to each such person so obligated to make child support payments, which fee shall be paid to the state.

4. Payment of the compensation provided in this section shall be payable in equal monthly installments, except that the salary of the circuit clerk of the city of St. Louis shall be paid in semimonthly installments and except that all such compensation paid by the state shall be paid in installments as provided in section 33.100, RSMo. The compensation of all circuit clerks shall be paid by the state and they shall be considered state employees for all purposes except the manner of their selection, appointment or removal from office; except that, the circuit clerk of the city of St. Louis, the circuit clerk of St. Louis County and the court administrator of Jackson County shall continue to be paid by the city and those counties and shall not become state employees, but the city of St. Louis, St. Louis County and Jackson County shall each be paid an amount which is equivalent to a circuit clerk's salary as provided in subsection 3 of section 483.015.

5. The compensation provided in this section shall be in lieu of all fees, and all fees collected shall be paid over to the state or to the counties and the city of St. Louis as otherwise provided by law.

Section 1. In addition to all other duties specified by law, each county elected official for a city not within a county shall make an annual report to the mayor, president of the board of aldermen, comptroller and aldermen of such city; and such report shall be delivered to the mayor, president of the board of aldermen, comptroller, and aldermen of such city within thirty days of the end of each fiscal year of such city; and such report shall provide a summary of the quantity and quality of services provided during that fiscal year, and may include, but not be limited to, any improvements made in services, critical issues affecting services, meritorious efforts by employees, the status of compliance with mandates from federal, state or local governments and recommendations for future improvements in, additions to, notifications of the quantity and quality of such services.".

Representative Loudon raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative O'Toole offered House Amendment No. 1 to House Amendment No. 3.

House Amendment No. 1

to

House Amendment No. 3

AMEND House Amendment No. 1 to House Amendment No. 3 to Senate Committee Substitute for Senate Bill No. 719, page 4, section 82.520, by deleting from said page said section; and

Further amend House Amendment, pages 5 through 7, section 483.083, by deleting all of said section.

SCS SB 719, as amended, with House Amendment No. 1 to House Amendment No. 3 and House Amendment No. 3, pending, was laid over.

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

SB 781 - Budget (Fiscal Note)

COMMITTEE REPORTS

Committee on Judiciary and Ethics, Chairman Witt reporting:

Mr. Speaker: Your Committee on Judiciary and Ethics, to which was referred **SB 895**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass.**

Committee on Miscellaneous Bills and Resolutions, Chairman Luetkenhaus reporting:

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **HCR 14**, begs leave to report it has examined the same and recommends that it **Do Pass.**

HOUSE CONCURRENT RESOLUTION NO. 14

WHEREAS, the United States Congress, by its authority to regulate commerce among the states, has repeatedly preempted state laws, including those relating to health, welfare, transportation, communications, banking, environment, and civil justice, thereby reducing the ability of state legislatures to be responsive to their constituents; and

WHEREAS, more than half of all federal laws preempting state laws have been enacted by Congress since 1969, intensifying an erosion of state power that leaves an essential part of our Constitutional structure, that of federalism, standing precariously; and

WHEREAS, the United States Constitution anticipates that our American system of federalism will allow for differences among state laws, expecting people to seek change through their own legislatures without federal intervention in the form of federal legislators representing other states; and

WHEREAS, the United States Constitution provides that while federal law is "the supreme Law of the Land", any powers not delegated to the federal government are reserved to the states or the people, a balance which is necessary to protect liberty; and

WHEREAS, this healthy balance of power can only exist when the powers of the states are not preempted by the federal government, and thus remain creditable powers within the federal system; and

WHEREAS, less federal preemption means that states can act as laboratories of democracy, where people can seek novel social and economic policies without risk to the nation; and

WHEREAS, S.1629 is designed to create mechanisms for careful consideration on proposals that would preempt states in areas historically within their purview through procedural mechanisms in the legislative, executive, and judicial branches of government; and

WHEREAS, S.1629 would specifically control the preemption of state powers in the federal legislative branch by requiring a statement of Constitutional authority and an expression of intent to preempt states, in the executive branch by curbing agencies that may preempt beyond their legislative authority, and in the judicial branch by codifying judicial deference to state laws where the Congress is not clear in its intent to preempt; and

NOW, THEREFORE, BE IT RESOLVED that the Missouri House of Representatives of the Eighty-eighth General Assembly, the Senate concurring therein, hereby strongly urges the United States Congress to enact S.1629, the Tenth Amendment Enforcement Act of 1996, in order to strengthen the political safeguards of federalism as anticipated under the Constitution; and

BE IT FURTHER RESOLVED that the Missouri General Assembly further urges the President of the United States to endorse S. 1629 as a means of ensuring full consideration of the principals of federalism within the exercise of his executive powers; and

BE IT FURTHER RESOLVED that the Congressional delegation from the State of Missouri join in co-sponsoring S.1629 in order to show its support for a decisive role for states within the federal system; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, and for each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **SCR 29**, begs leave to report it has examined the same and recommends that it **Do Pass.**

CONFERENCE COMMITTEE REPORT NO. 2
ON HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 991

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on House committee Substitute for House Bill No. 991, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Amendment No. 1, Senate Committee Amendment No. 2, Senate Amendment No. 1, Senate Amendment No. 6, Senate Amendment No. 7, and Senate Amendment No. 15 to House Committee Substitute for House Bill No. 991;

2. That the Senate recede from its position on Senate Committee Amendment No. 3, Senate Committee Amendment No. 4, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate

Amendment No. 5, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, and Senate Amendment No. 14 for House Committee Substitute for House Bill No. 991;.

3. That House Committee Substitute for House Bill No. 991 with Senate Committee Amendment No. 1, Senate Committee Amendment No. 2, Senate Amendment No. 1, Senate Amendment No. 6, Senate Amendment No. 7, and Senate Amendment No. 15 be truly agreed and finally passed.

Seventy-fifth Day-Wednesday, May 15, 1996

FOR THE HOUSE:FOR THE SENATE:

/s/ Don Koller
/s/ Joan Bray
/s/ Cindy Ostmann
/s/ Bonnie Sue Cooper
/s/ Tim Van Zandt

/s/ Danny Staples
/s/ Bill McKenna
/s/ Morris Westfall
/s/ Betty Sims

CONFERENCE COMMITTEE REPORT
ON SENATE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILLS NOS. 1301 AND 1298

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298;

2. That the Senate recede from its position on Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1301 and 1298 with Senate Amendments Nos. 1, 2, 3, 4, 5, 6, Senate Substitute Amendment No. 1 for Senate Amendment No. 7, Senate Amendments Nos. 11, 12, 13, 14, 15, 16, 17, Senate Substitute Amendment No. 1 for Senate Amendment No. 18, Senate Amendments Nos. 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 35, 36, 37;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:
/s/ Steve McLuckie
/s/ Glenda Kelly (27)
/s/ Brian May (108)
/s/ Cindy Ostmann
/s/ Emmy McClelland

FOR THE SENATE:
/s/ Joe Moseley
/s/ Morris Westfall
/s/ Harold L. Caskey
/s/ Sidney Johnson
/s/ David Klarich

CONFERENCE COMMITTEE REPORT
ON HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 781

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for House Bill No. 781 as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bill No. 781 and House Perfecting Amendment No. 1 to Senate Amendment No. 1 to House Committee Substitute for House Bill No. 781;

2. That the Senate recede from its position on House Committee Substitute for House Bill No. 781 with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4;

3. That the attached Conference Committee Substitute be adopted.

FOR THE HOUSE:
/s/ Lana Stokan
/s/ Deleta Williams (121)
/s/ Jim Sears
/s/ Dale Whiteside
/s/ Emmy McClelland

FOR THE SENATE:
/s/ Ted House
/s/ Harold L. Caskey
/s/ Jim Mathewson
/s/ Fran Flotron
/s/ Roseann Bentley

CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 1098

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Bill No. 1098, as amended, begs leave to report that we, after free and fair discussion of the differences

between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1098;

2. That the Senate recede from its position on House Bill No. 1098, with Senate Amendment No. 1, Senate Amendment No. 1 to Senate Amendment No. 2, and Senate Amendment No. 2, as amended;

3. That the attached Conference Committee Substitute for House Bill No. 1098 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Russell Goward	/s/ John E. Scott
/s/ Sheila Lumpe	/s/ Franc Flotron
/s/ Don Koller	/s/ Harry Wiggins
/s/ T. Mark Elliott	/s/ Irene Treppler
/s/ Michael Gibbons	/s/ Mike Lybyer

Seventy-fifth Day-Wednesday, May 15, 1996

CONFERENCE COMMITTEE REPORT

ON SENATE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE
FOR HOUSE BILL NO. 1368

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the House on Senate Committee Substitute for House Substitute for House Bill No. 1368, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Amendments Nos. 1 and 2 to Senate Committee Substitute for House Substitute for House Bill No. 1368;

2. That the Senate recede from its position on Senate Amendments Nos. 3 and 4 to Senate Committee Substitute for House Substitute for House Bill No. 1368;

3. That the attached Conference Committee Amendments Nos. 1 and 2 be adopted; and

4. That Senate Committee Substitute for House Substitute for House Bill No. 1368 as amended by Senate Amendments Nos. 1 and 2, and Conference Committee Amendments Nos. 1 and 2 be truly agreed and finally passed.

FOR THE SENATE:	FOR THE HOUSE:
/s/ Bill McKenna	/s/ Brian May (108)
/s/ Irene Treppler	/s/ Matt O'Neill
/s/ William Clay	/s/ Tim Harlan
/s/ Morris Westfall	/s/ Chuck Pryor
/s/ Ronnie DePasco	/s/ Dave Oetting

Conference Committee Amendment No. 1

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1368, Page 1, In the Title, Line 6, by deleting the word "eighteen" and inserting in lieu thereof the following: "nineteen"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting the word "eighteen" and inserting in lieu thereof the following: "nineteen"; and

Further amend said bill, Page 1, Section A, Lines 7 through 8, by deleting all of said lines and inserting in lieu thereof the following: "288.140, 288.160, 288.190, 288.200, 288.380, 347.015, 347.187, 351.488, 358.150 and 1, to read as follows:"; and

Further amend said bill, Page 43, Section 358.150, Line 41, by inserting after all of said line the following:

"**Section 1. Notwithstanding any other provision of law to the contrary, beginning January 1, 1997, those insurance companies providing coverage pursuant to chapter 287, RSMo, to a limited liability company, as defined in section 347.015, RSMo, shall provide coverage for the employees of the limited liability company who are not members of the limited liability company. Members of the limited liability company, as defined in section 347.015, RSMo, shall also be provided coverage pursuant to chapter 287, RSMo, but such members may individually elect to reject such coverage by providing a written notice of such rejection on a form developed by the department of insurance to the limited liability company and its insurer. Failure to provide notice to the limited liability company shall not be grounds for any member to claim that the rejection of such coverage is not legally effective. A member who elects to reject such coverage shall not thereafter be entitled to workers' compensation benefits under the policy, even if serving or working in the capacity of an employee of the limited liability company, at least until such time as said member provides the limited liability company and its insurer with a written notice which rescinds the prior rejection of such coverage. The written notice which**

rescinds the prior rejection of such coverage shall be on a form developed by the department of insurance. Any rescission shall be prospective in nature and shall entitle the member only to such benefits which accrue on or after the date the notice of rescission form is received by the insurance company.".

Conference Committee Amendment No. 2

AMEND Senate Committee Substitute for House Substitute for House Bill No. 1368, Page 30, Section 288.190, Line 63, by inserting after all of said line the following:

"**5. Any party subject to any decision of an appeals tribunal pursuant to this chapter has a right to counsel and shall be notified prior to a hearing conducted pursuant to this chapter that a decision of the appeals tribunal is presumptively conclusive for the purposes of this chapter as provided in section 288.200.**".

MESSAGES FROM THE GOVERNOR

EXECUTIVE OFFICE

May 15, 1996

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

88TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you House Bill No. 766 entitled:

"AN ACT"

To repeal section 190.309, RSMo Supp. 1995, relating to certain telephone emergency service, and to enact in lieut thereof one new section relating to the same subject, with an emergency clause.

On May 15, 1996, I approved said House Bill No. 766.

Respectfully submitted

/s/ Mel Carnahan

Governor

Seventy-fifth Day-Wednesday, May 15, 1996

EXECUTIVE OFFICE

May 15, 1996

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

88TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you House Bill No. 1346 entitled:

"AN ACT"

To repeal section 70.500, RSMo Supp. 1995, relating to the Kansas and Missouri Metropolitan Culture District Compact, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

On May 15, 1996, I approved said House Bill No. 1346.

Respectfully submitted

/s/ Mel Carnahan

Governor

EXECUTIVE OFFICE

May 15, 1996

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

88TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you House Bill No. 1619 entitled:

"AN ACT"

To repeal sections 455.030, 455.035, and 455.510, RSMo 1994, and sections 455.010, 455.501, 455.513, and 487.030, RSMo Supp. 1995, relating to domestic relations, and to enact in lieu thereof seven new sections relating to the same subject, with an emergency clause.

On May 15, 1996, I approved said House Bill No. 1619.

Respectfully submitted

/s/ Mel Carnahan

Governor

On motion of Representative Backer, the House recessed until 8:00 p.m.

EVENING SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Page for the Day, to serve without compensation: Nicholas Russell.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HS HCS HB 1237**, entitled:

An act to repeal sections 32.105, 67.641, 67.1000, 94.875, 100.270, 135.403, 135.405, 148.330, 148.350, 172.273, 274.030, 274.220, 274.230, 338.056, 338.196, 620.158, 620.1039, 700.010, 700.100 and 700.450, RSMo 1994, and sections 32.115, 100.296, 135.110, 135.207, 135.225, 135.230, 135.245, 144.030, 447.708 and 620.482, RSMo Supp. 1995, both versions of section 135.400, RSMo Supp. 1995, as enacted in house bill no. 414 and in senate bill no. 445 by the eighty-eighth general assembly and section 260.831 as enacted by the second regular session of the eighty-eighth general assembly in senate committee substitute for senate bill no. 662 and delivered to the governor on April 22, 1996, relating to economic development, and to enact in lieu thereof seventy new sections relating to the same subject, with an effective date for certain sections and a termination date for a certain section.

With Senate Amendment Nos. 1, 4, 5, 6, 7, 8, Senate Amendment No. 1 to Senate Amendment No. 9, Senate Amendment No. 2 to Senate Amendment No. 9, Senate Amendment No. 9, as amended, Senate Amendment No. 11, Senate Amendment No. 1 to Senate Amendment No. 12, Senate Amendment No. 2 to Senate Amendment No. 12, Senate Amendment No. 3 to Senate Amendment No. 12, as amended, Senate Amendment Nos. 13, 14, 15, 16, 17, 18, 19, 22, 23, Senate Amendment No. 1 to Senate Amendment No. 24, Senate Amendment No. 24, as amended, Senate Amendment Nos. 25, 27, 28, 29, 30, 31, 32, 34, 36, 37, 38, 39, Senate Substitute Amendment No. 1 for Senate Amendment No. 40, Senate Substitute Amendment No. 1 for Senate Amendment No. 41 and Senate Amendment Nos. 42 and 43.

Senate Amendment No. 1

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 55, Section 172.273, Line 16 by inserting immediately after said line the following:

"**253.385. 1. Pursuant to the provisions of section 48 of article III of the Constitution of the state of Missouri, the**

department of natural resources is hereby authorized to acquire by purchase from funds appropriated or otherwise available to the department or to acquire by gift, the Rice-Tremonti Home at 66th and Blue Ridge Boulevard in Raytown, Missouri, for the establishment of a state historic site as a tribute to Archibald Rice and his family who supplied food and other essentials to pioneers striking out for a new home in the great westward expansion.

2. In acquiring this home, which may include both real and personal property, the department shall make adequate provisions for the proper care, maintenance and safekeeping of the property so that the home will be a historic reminder of the sacrifices of our forefathers and ensure that the home is to be used and enjoyed by all the citizens of this state.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 76, Section 144.030, Line 4, by inserting after the word "plant", the following:

"**but shall not include motor vehicles used on highways. For the purposes of this section, the terms "motor vehicle" and "highway" shall have the same meaning pursuant to section 301.010, RSMo.**"; and

Further amend said bill, page 6, Section 32.105, line 1, by inserting after the word "**projects**", the following:

"**and affordable housing assistance as defined in section 32.111, RSMo**".

Senate Amendment No. 5

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 98, Section 338.196, Line 12 by inserting immediately after said line the following:

"349.010. As used in sections 349.010 to 349.100, unless the context otherwise requires, the following words and terms shall have the meanings indicated:

(1) "Corporations" means any authority organized pursuant to the provisions of sections 349.010 to 349.100.

(2) "County and municipality". "County" means any county in the state. "Municipality" means any city, incorporated town or village in the state.

(3) "Governing body" shall mean the board or body in which the general legislative powers of the county or municipality are vested.

(4) "Project" means the purchase, construction, extension and improvement of plants, buildings, structures, or facilities, whether or not now in existence, including the real estate, used or to be used as a factory, assembly plant, manufacturing plant, processing plant, fabricating plant, distribution center, warehouse building, **public facility,** waterborne vessels excepting commercial passenger vessels for hire in a city not within a county built prior to 1950, office building, for profit or not for profit hospital, not for profit nursing or retirement facility or combination thereof, physical fitness, recreational, indoor and resident outdoor facilities operated by not for profit organizations, commercial or agricultural facility, or facilities for the prevention, reduction or control of pollution. Included in all of the above shall be any required fixtures, equipment and machinery. Excluded are facilities designed for the sale or distribution to the public of electricity, gas, water or telephone, together with any other facilities for cable television and those commonly classified as public utilities. Projects of a municipal authority must be located wholly within the incorporated limits of the municipality except that such projects may be located outside the corporate limits of such municipality and within the county in which the municipality is located with permission of the governing body of the county. Projects of a county authority must be located within an unincorporated area of such county except that such projects may be located within the incorporated limits of a municipality within such county, when approved by the governing body of the municipality."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 155, Section 27, by inserting immediately after said line the following:

"**Section 27. 1. The governor is hereby authorized and empowered to grant and convey by deed the state of Missouri's interest, if any, in certain property in the city of St. Louis known as the St. Mary's annex to St. Mary's manor incorporated, its successors or assigns. The property to be conveyed is more particularly described as follows:**

A tract of land in City of St. Louis Block 448, more particularly described as Lots 4, 5, 6, 7, 8 and the Western 14 feet 8-1/2 inches of Lot 9, together fronting 139 feet 8-1/2 inches on the North line of Chouteau Avenue, 80 feet

wide.

2. If St. Mary's manor incorporated refuses the return of the property, the governor is authorized to negotiate a sale of the property to the city of St. Louis or to offer the property for public sale, the terms of which shall be set by the commissioner of administration.

3. The attorney general shall approve as to form the instrument of conveyance."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 7

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 54, Section 135.245, Line 26 by inserting immediately after said line, the following:

"[135.300. As used in sections 135.300 to 135.311, unless the context requires otherwise, the following terms mean:

(1) "Missouri forestry industry residue", any residue that results from normal timber harvest or production to include slash, sawdust, shavings, edgings, slabs, leaves, bark, and timber thinnings from timber stand improvements;

(2) "Processed wood products", wood pellets, cubes, flour, or any product that results from thermal, chemical, or mechanical processes that sufficiently alter the wood residue to be used as an energy source. Hogged wood, chipped wood and charcoal do not qualify as processed wood energy resources under sections 135.300 to 135.311;

(3) "Wood energy producer", any person, firm or corporation who engages in the business of producing processed wood products, to be used as an energy source, from Missouri forest industry residues;

(4) "Wood energy producing facility", a Missouri facility using Missouri forest industry residue to produce processed wood products.

135.305. A Missouri wood energy producer shall be eligible for a taxcredit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due.

135.307. Any amount of credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed four years.

135.309. The wood energy producer may elect to assign to a third party the approved tax credit. Certification of assignment and other appropriate forms must be filed with the Missouri department of revenue.

135.311. When applying for a tax credit the wood energy producer shall make application for the credit to the division of energy of the department of natural resources. The application shall include:

(1) The number of tons of processed wood products produced during the preceding calendar year;

(2) The name and address of the person to whom processed products were sold and the number of tons sold to each person;

(3) Other information which the department of natural resources reasonably requires. The application shall be received and reviewed by the division of energy of the department of natural resources and the division shall certify to the department of revenue each applicant which qualifies as a wood energy-producing facility.

2. Sections 135.300 to 135.311 shall be effective July 1, 1986. The provisions of sections 135.300 to 135.311 shall terminate on June 30, 1995, but any unused credit may be claimed until December 31, 1995.]

135.300. As used in sections 135.300 to 135.311, unless the context requires otherwise, the following terms mean:

(1) "Missouri forestry industry residue", any residue that results from normal timber harvest or production to include slash, sawdust, shavings, edgings, slabs, leaves, bark, and timber thinnings from timber stand improvements;

(2) "Processed wood products", wood pellets, cubes, flour, or any product that result from thermal, chemical, or mechanical processes that sufficiently alter the wood residue to be used as an energy source. Hogged wood, chipped wood and charcoal do not qualify as processed wood energy resources under sections 135.300 to 135.311;

(3) "Wood energy producer", any person, firm or corporation who engages in the business of producing processed wood products, to be used as an energy source, from Missouri forest industry residues;

(4) "Wood energy producing facility", a Missouri facility using Missouri forest industry residue to produce processed wood products.

135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due.

135.307. Any amount of credit which exceeds the tax due shall not be refunded but may be carried over to any subsequent taxable year, not to exceed four years.

135.309. The wood energy producer may elect to assign to a third party the approved tax credit. Certification of assignment and other appropriate forms must be filed with the Missouri department of revenue.

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(1) The number of tons of processed wood products produced during the preceding calendar year;

(2) The name and address of the person to whom processed products were sold and the number of tons sold to each person;

(3) Other information which the department of natural resources reasonably requires. The application shall be received and reviewed by the division of energy of the department of natural resources and the division shall certify to the department of revenue each applicant which qualifies as a wood energy-producing facility."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 88, Section 172.273, Line 25 of said page, by striking "research, development and" and inserting in lieu thereof the following: "**projects for the purpose of research and development, including**"; and

Further amend said bill and section, page 89, line 2 of said page, by striking the word "and" and inserting in lieu thereof a period "**.**"; and further amend lines 3-4 of said page, by striking all of said lines; and further amend lines 16-17 of said page, by striking the following: ", may utilize the power of eminent domain,"; and

Further amend said bill and section, page 90, line 2 of said page, by striking the word "plan" and inserting in lieu thereof the word "**planning**"; and further amend line 11 of said page, by striking the following: "The utilization of the real"; and further amend lines 12-13, by striking all of said lines; and further amend line 14 of said page, by striking the following: "of the university. Provided" and inserting in lieu thereof the word "**If**"; and further amend line 15 of said page, by inserting immediately after the word "university" the following: "**and used as provided in subsection 1 and subsection 2 of this section and found to be within the university's educational mission**"; and further amend line 24 of said page, by inserting immediately after said line the following:

"**5. Notwithstanding the exemption from taxes in subsection 3 of this section, whenever a private enterprise operates its facilities on land owned by the curators for an office park project for the purpose of research and development and such operation is outside the advancement of the university's educational mission, the private enterprise shall be subject to all taxes set forth by the appropriate political subdivision.**"; and

Further amend said section by renumbering the remaining subsections accordingly; and

Further amend said bill and section, page 90, line 25 of said page, by striking the words "such a"; and further amend line 26, by striking the following: "research, development and office park project" and inserting in lieu thereof the following: "**projects for research and development, including an office park project,**";

Further amend said bill and section, page 92, lines 1-16 of said page by striking all of said lines.

Senate Amendment No. 1
to
Senate Amendment No. 9

Amend Senate Amendment No. 9 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 6, Section 32.115, Line 16, by removing brackets around word "twenty" and deleting word "**twenty-two**".

Senate Amendment No. 2
to
Senate Amendment No. 9

Amend Senate Amendment No. 9 to Senate Substitute for Senate Committee Substitute for House Substitute for

House Committee Substitute for House Bill No. 1237, Page 3, Section 32.112, Line 23, by adding after the word "section", the following: "such regulations shall include a requirement that no tax credits may be claimed on any affordable housing units occupied by any convicted felon.".

Senate Amendment No. 9

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 7, Section 32.115, by striking all of said section and inserting in lieu thereof, the following:

"32.111. Any business firm which engages in providing affordable housing assistance activities in the state of Missouri shall receive a tax credit as provided in section 32.115 if the commission or its delegate approves a proposal submitted by one or more business firms for the provision of affordable housing units. The proposal shall set forth the program of affordable housing to be conducted, the location and number of affordable housing units, the neighborhood area to be served, why the program is needed, the time period for which affordable housing units shall be provided, the estimated amount to be invested in the program, plans for implementing the program and a list of the business firms proposing to provide affordable housing assistance activities which are part of the proposal. In the case of rental units, all proposals approved by the commission shall require a land use restriction agreement stating the provision of affordable housing on said property for a time period deemed reasonable by the commission. In the case of owner occupied units, all proposals approved by the commission shall require a land use restriction agreement for a time period deemed reasonable by the commission requiring any subsequent owner, except a lender with a security interest in the property, to be an owner occupant whose income at the time of acquisition is at or below the level described in section 32.105, and further requiring the acquisition price to any subsequent owner shall not exceed by more than a five percent annual appreciation the acquisition price to the original, eligible owner at the time tax credits are first claimed. **The land use restriction agreement shall constitute a lien as described in subdivision (4) of subsection 3 of section 32.115.** The restriction shall be approved by the property owner and shall be binding on any subsequent owner of the property unless otherwise approved by the commission. In approving a proposal, the commission may authorize the use of tax credits by one or more of the business firms listed in the proposal and shall establish specific requirements regarding the degree of completion of affordable housing assistance activities necessary to be eligible for tax credits provided under this section. If, in the opinion of the commission or its delegate, a business firm's investment can more consistently with the purposes of this section be made through [contributions to] a neighborhood organization, tax credits may be allowed as provided in this section. **The commission may approve requests for multi-year credit commitments provided eligibility is maintained.** The commission or its delegate is hereby authorized to promulgate rules and regulations for establishing criteria for evaluating such proposals by business firms for approval or disapproval, for establishing housing priorities for approval or disapproval of such proposals by business firms, and for the certification of eligibility for tax credits authorized under this section. The decision of the commission or its delegate to approve or disapprove a proposal pursuant to this section shall be in writing, and if approved, the maximum credit allowable to the business firm shall be stated. A copy of the decision of the commission or its delegate shall be transmitted to the director of revenue and to the governor. A copy of the certification approved by the commission and a statement of the total amount of credits approved by the commission, the amount of credits previously taken by the taxpayer and the amount being claimed for the current tax year shall be filed in a manner and form designated by the director of revenue for any tax year in which a tax credit is being claimed.

32.112. Any business firm which makes a contribution to a neighborhood organization, a significant part of whose activities consist of affordable housing assistance activities in the state of Missouri, shall receive a tax credit as provided in section 32.115 if the commission approves a proposal submitted by one or more business firms for the general operating assistance of such neighborhood organization. The proposal shall set forth the activities of the neighborhood organization, including the affordable housing assistance activities, the neighborhood area to be served, why the activities are needed, the estimated amount to be contributed to the neighborhood organization, and a list of the business firms proposing to make the contributions. The commission is hereby authorized to promulgate rules and regulations pursuant to section 536.024, RSMo, for establishing criteria for evaluating such proposals by business firms for approval or disapproval, and for the certification of eligibility for tax credits authorized under this section. The decision of the commission to approve or disapprove a proposal pursuant to this section shall be in writing and, if approved, the maximum credit allowable to the business firm shall be stated. A copy of the decision of the commission shall be transmitted to the director of revenue and to the governor. A copy of the certification approved by the commission and a statement of the total amount of credits approved, the amount of credits previously taken by the taxpayer and the amount being claimed for the current tax year shall be filed in a manner and form designated by the director of revenue for any tax year in which a tax credit is being claimed.

32.115. 1. The department of revenue shall grant a tax credit, to be applied in the following order until used, against:

(1) The annual tax on gross premium receipts of insurance companies in chapter 148, RSMo;

(2) The tax on banks determined under subdivision (2) of subsection 2 of section 148.030, RSMo;

(3) The tax on banks determined in subdivision (1) of subsection 2 of section 148.030, RSMo;

(4) The tax on other financial institutions in chapter 148, RSMo;

(5) The corporation franchise tax in chapter 147, RSMo;

(6) The state income tax in chapter 143, RSMo; and

(7) The annual tax on gross receipts of express companies in chapter 153, RSMo.

2. For proposals approved under section 32.110[,]**:**

(1) The amount of the tax credit shall not exceed fifty percent of the total amount contributed during the taxable year by the business firm or, in the case of a financial institution, where applicable, during the relevant income period in programs approved pursuant to section 32.110[.]**;**

[3.] **(2)** Except as provided in [subsection 2 or 5] **subdivision (1) or (4)** of this [section] **subsection**, a tax credit of up to seventy percent may be allowed for contributions to programs where activities fall within the scope of special program priorities as defined with the approval of the governor in regulations promulgated by the director of the department of economic development[.]**;**

[4.] **(3)** Except as provided in [subsection 2 or 5] **subdivision (1) or (4)** of this [section] **subsection**, the tax credit allowed for contributions to programs located in any community shall be equal to seventy percent of the total amount contributed where such community is a city, town or village which has fifteen thousand or less inhabitants as of the last decennial census and is located in a county which is either located in:

[(1)] **(a)** An area that is not part of a standard metropolitan statistical area;

[(2)] **(b)** A standard metropolitan statistical area but such county has only one city, town or village which has more than fifteen thousand inhabitants; or

[(3)] **(c)** A standard metropolitan statistical area and a substantial number of persons in such county derive their income from agriculture.

Such community may also be in an unincorporated area in such county as provided in [subdivision (1), (2) or (3)] **paragraphs (a), (b) and (c)** of this [subsection] **subdivision**. Except in no case shall the total economic benefit of the combined federal and state tax savings to the taxpayer exceed the amount contributed by the taxpayer during the tax year[.]**;**

[5.] **(4)** Such tax credit allocation, equal to seventy percent of the total amount contributed, shall not exceed four million dollars in any fiscal year. When the four million dollar limit on the tax credit allocation is committed, the tax credit allocation for such programs shall then be equal to fifty percent credit of the total amount contributed. Regulations establishing special program priorities are to be promulgated during the first month of each fiscal year and at such times during the year as the public interest dictates. Such credit shall not exceed two hundred and fifty thousand dollars annually except as provided in **subdivision 5 of this** subsection [6 of this section]. No tax credit shall be approved for any bank, bank and trust company, insurance company, trust company, national bank, savings association, or building and loan association for activities that are a part of its normal course of business. Any tax credit not used in the period the contribution was made may be carried over the next five succeeding calendar or fiscal years until the full credit has been claimed. Except as otherwise provided for proposals approved under section 32.111**, 32.112** or 32.117, in no event shall the total amount of all other tax credits allowed pursuant to sections 32.100 to 32.125 exceed [twenty] **twenty-two** million dollars in any one fiscal year, of which six million shall be credits allowed pursuant to section 135.460, RSMo. If six million dollars in credits are not approved, then the remaining credits may be used for programs approved pursuant to sections 32.100 to 32.125[.]**;**

[6.] **(5)** The credit may exceed two hundred fifty thousand dollars annually and shall not be limited if community services, crime prevention, education, job training, physical revitalization or economic development, as defined by section 32.105, is rendered in an area defined by federal or state law as an impoverished, economically distressed, or blighted area or as a neighborhood experiencing problems endangering its existence as a viable and stable neighborhood, or if the community services, crime prevention, education, job training, physical revitalization or economic development is limited to impoverished persons.

[7.] **3.** For proposals approved under section 32.111[,]**:**

(1) The amount of the tax credit shall not exceed fifty-five percent of the total amount invested in affordable housing assistance activities by a business firm. **Whenever said investment is made in the form of an equity investment or a loan, as opposed to a donation alone, tax credits may be claimed only where the loan or equity investment is accompanied by a donation which is eligible for federal income tax charitable deduction, and where the total value of the tax credits herein plus the value of the federal income tax charitable deduction is less than or equal to the value of the donation.** Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. If the affordable housing units for which a tax is claimed are within a larger structure, parts of which are not the subject of a tax credit claim, then expenditures applicable to the entire structure shall be reduced on a prorated basis in proportion to the ratio of the number of square feet devoted to the affordable housing units, for purposes of determining the amount of the tax credit. The total amount of tax credit granted

for programs approved under section 32.111 for the [first] fiscal year **beginning July 1, 1991** shall not exceed two million dollars, to be increased by no more than two million dollars each succeeding fiscal year, until the total tax credits that may be approved reaches ten million dollars in any fiscal year[.]**;**

[8.] **(2)** For any year during the compliance period indicated in the land use restriction agreement, the owner of the affordable housing rental units for which a credit is being claimed shall certify to the commission that all tenants renting claimed units are income eligible for affordable housing units and that the rentals for each claimed unit are in compliance with the provisions of sections 32.100 to 32.125. The commission is authorized, in its discretion, to audit the records and accounts of the owner to verify said certification[.]**;**

[9.] **(3)** In the case of owner occupied affordable housing units, the qualifying owner occupant shall, before the end of the first year in which credits are claimed, certify to the commission that the occupant is income eligible during the preceding two years, and at the time of the initial purchase contract, but not thereafter. The qualifying owner occupant shall further certify to the commission, before the end of the first year in which credits are claimed, that during the compliance period indicated in the land use restriction agreement, the cost of the affordable housing unit to the occupant for the claimed unit can reasonably be projected to be in compliance with the provisions of sections 32.100 to 32.125. Any succeeding owner occupant acquiring the affordable housing unit during the compliance period indicated in the land use restriction agreement shall make the same certification[.]**;**

[10.] **(4)** If at any time during the compliance period the commission determines a project for which a proposal has been approved is not in compliance with the applicable provisions of sections 32.100 to 32.125 or rules promulgated therefor, the commission [shall revoke the proposal's certificate of eligibility and all business firms included in the proposal shall be prohibited from claiming any future tax credits under the proposal and shall remit the amount of tax credits taken in previous tax years under the proposal to the director of revenue. The commission shall notify the director of revenue of any such revocation.] **may within one hundred fifty days of notice to the owner either seek injunctive enforcement action against the owner, or seek legal damages against the owner representing the value of the tax credits, or foreclose on the lien in the land use restriction agreement, selling the project at a public sale, and paying to the owner the proceeds of the sale, less the costs of the sale and less the value of all tax credits allowed herein. The commission shall remit to the director of revenue the portion of the legal damages collected or the sale proceeds representing the value of the tax credits. However, except in the event of intentional fraud by the taxpayer, the proposal's certificate of eligibility for tax credits shall not be revoked.**

4. For proposals approved under section 32.112, the amount of the tax credit shall not exceed fifty-five percent of the total amount contributed to a neighborhood organization by business firms. Any tax credit not used in the period for which the credit was approved may be carried over the next ten succeeding calendar or fiscal years until the full credit has been allowed. The total amount of tax credit granted for programs approved under section 32.112 shall not exceed one million dollars for each fiscal year."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 11

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 92, Section 172.273, Line 16 of said page, by inserting immediately after said line the following:

"178.635. 1. The board of regents of Linn State Technical College shall organize in the manner provided by law for the board of curators of the University of Missouri. The powers, duties, authority, responsibilities, privileges, immunities, liabilities and compensation of the board of Linn State Technical College in regard to Linn State Technical College shall be the same as those prescribed by statute for the board of curators of the University of Missouri in regard to the University of Missouri, except that Linn State Technical College shall be operated only as a state technical college. Nothing in this section shall be construed to authorize Linn State Technical College to become a community college or a university offering four-year or graduate degrees.

2. All lawful bonded indebtedness incurred by the issuance of revenue bonds, as defined in section 176.010, RSMo, by Linn **State** Technical College, shall **not** be deemed to be an indebtedness of the **state of Missouri or the** board of regents of Linn State Technical College, **pursuant to section 176.040, RSMo** [after the date upon which the conditions of section 178.631 are met. Such indebtedness shall be retired through tuition revenues].

178.892. As used in sections 178.892 to 178.896, the following terms mean:

(1) "Agreement", the agreement, between an employer and a junior college district **or state technical college**, concerning a project. An agreement may be for a period not to exceed ten years when the program services associated with a project are not in excess of five hundred thousand dollars. For a project where associated program costs are greater than five hundred thousand dollars, the agreement may not exceed a period of eight years. No agreement shall be entered into between an employer and a community college district **or state technical college** which involves the training of potential employees with the purpose of replacing or supplanting employees engaged in an authorized work stoppage;

(2) "Board of trustees", the board of trustees of a junior college district **and the board of regents of a state**

technical college;

(3) "Certificate", industrial new jobs training certificates issued pursuant to section 178.895;

(4) "Date of commencement of the project", the date of the agreement;

(5) "Employee", the person employed in a new job;

(6) "Employer", the person providing new jobs in conjunction with a project;

(7) "Industry", a business located within the state of Missouri which enters into an agreement with a community college district **or state technical college** and which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, or providing services in interstate commerce, but excluding retail, health, or professional services. "Industry" does not include a business which closes or substantially reduces its operation in one area of the state and relocates substantially the same operation in another area of the state. This does not prohibit a business from expanding its operations in another area of the state provided that existing operations of a similar nature are not closed or substantially reduced;

(8) "New job", a job in a new or expanding industry not including jobs of recalled workers, or replacement jobs or other jobs that formerly existed in the industry in the state;

(9) "New jobs credit from withholding", the credit as provided in section 178.894;

(10) "New jobs training program" or "program", the project or projects established by a community college district **or state technical college** for the creation of jobs by providing education and training of workers for new jobs for new or expanding industry in the state;

(11) "Program costs", all necessary and incidental costs of providing program services including payment of the principal of, premium, if any, and interest on certificates, including capitalized interest, issued to finance a project, funding and maintenance of a debt service reserve fund to secure such certificates and wages, salaries and benefits of employees participating in on-the-job training;

(12) "Program services" includes, but is not limited to, the following:

(a) New jobs training;

(b) Adult basic education and job-related instruction;

(c) Vocational and skill-assessment services and testing;

(d) Training facilities, equipment, materials, and supplies;

(e) On-the-job training;

(f) Administrative expenses equal to fifteen percent of the total training costs;

(g) Subcontracted services with state institutions of higher education, private colleges or universities, or other federal, state, or local agencies;

(h) Contracted or professional services; and

(i) Issuance of certificates;

(13) "Project", a training arrangement which is the subject of an agreement entered into between the community college district **or a state technical college** and an employer to provide program services;

(14) "Total training costs", costs of training, including supplies, wages and benefits of instructors, subcontracted services, on-the-job training, training facilities, equipment, skill assessment and all program services excluding issuance of certificates.

178.893. A community college district **or a state technical college**, with the approval of the department of economic development in consultation with the office of administration, may enter into an agreement to establish a project and provide program services to an employer. As soon as possible after initial contact between a community college district **or a state technical college** and a potential employer regarding the possibility of entering into an agreement, the district **or college** shall inform the division of job development and training of the department of economic development and the office of administration about the potential project. The division of job development and training shall evaluate the proposed project within the overall job training efforts of the state to ensure that the project will not duplicate other job training programs. The department of economic development shall have fourteen days from receipt of the application to approve or disapprove projects. If no response is received by the community college **or the state technical college** within fourteen days the projects are approved. Any project that is disapproved must be in writing stating the reasons for the disapproval. If an agreement is entered into, the district and the employer shall notify the department of revenue within fifteen calendar days. An agreement may provide, but is not limited to:

(1) Payment of program costs, including deferred costs, which may be paid from one or a combination of the following sources:

(a) Funds appropriated by the general assembly from the Missouri junior college job training program fund and disbursed by the division of job development and training in respect of new jobs credit from withholding to be received or derived from new employment resulting from the project;

(b) Tuition, student fees, or special charges fixed by the board of trustees to defray program costs in whole or in part;

(c) Guarantee of payments to be received under paragraph (a) or (b) of this subdivision;

(2) Payment of program costs shall not be deferred for a period longer than ten years if program costs do not exceed five hundred thousand dollars, or eight years if program costs exceed five hundred thousand dollars from the date of commencement of the project;

(3) Costs of on-the-job training for employees, shall include wages or salaries of participating employees. Payments for on-the-job training shall not exceed the average of fifty percent of the total percent of the total wages paid by the employer to each participant during the period of training. Payment for on-the-job training may continue for up to six months after the placement of the participant in the new job;

(4) A provision which fixes the minimum amount of new jobs credit from withholding, or tuition and fee payments which shall be paid for program costs;

(5) Any payment required to be made by an employer is a lien upon the employer's business property until paid and has equal precedence with ordinary taxes and shall not be divested by a judicial sale. Property subject to the lien may be sold for sums due and delinquent at a tax sale, with the same forfeitures, penalties, and consequences as for the nonpayment of ordinary taxes. The purchasers at tax sale obtain the property subject to the remaining payments.

178.894. If an agreement provides that all or part of program costs are to be met by receipt of new jobs credit from withholding, such new jobs credit from withholding shall be determined and paid as follows:

(1) New jobs credit from withholding shall be based upon the wages paid to the employees in the new jobs;

(2) A portion of the total payments made by the employer pursuant to section 143.221, RSMo, shall be designated as the new jobs credit from withholding. Such portion shall be an amount equal to two and one-half percent of the gross wages paid by the employer for each of the first one hundred jobs included in the project and one and one-half percent of the gross wages paid by the employer for each of the remaining jobs included in the project. If business or employment conditions cause the amount of the new jobs credit from withholding to be less than the amount projected in the agreement for any time period, then other withholding tax paid by the employer pursuant to section 143.221, RSMo, shall be credited to the Missouri junior college job training fund by the amount of such difference. The employer shall remit the amount of the new jobs credit to the department of revenue in the manner prescribed in section 178.896. When all program costs, including the principal of, premium, if any, and interest on the certificates have been paid, the employer credits shall cease;

(3) The community college district **or the state technical college** participating in a project shall establish a special fund for and in the name of the project. All funds appropriated by the general assembly from the Missouri community college job training program fund and disbursed by the division of job development and training for the project and other amounts received by the district **or college** in respect of the project and required by the agreement to be used to pay program costs for the project shall be deposited in the special fund. Amounts held in the special fund may be used and disbursed by the district **or college** only to pay program costs for the project. The special fund may be divided into such accounts and subaccounts as shall be provided in the agreement, and amounts held therein may be invested in investments which are legal for the investment of the district's other funds;

(4) Any disbursement in respect of a project received from the division of job development and training under the provisions of sections 178.892 to 178.896 and the special fund into which it is paid may be irrevocably pledged by a junior college district **or a state technical college** for the payment of the principal of, premium, if any, and interest on the certificate issued by a junior college district **or a state technical college** to finance or refinance, in whole or in part, the project;

(5) The employer shall certify to the department of revenue that the credit from withholding is in accordance with an agreement and shall provide other information the department may require;

(6) An employee participating in a project will receive full credit for the amount designated as a new jobs credit from withholding and withheld as provided in section 143.221, RSMo;

(7) If an agreement provides that all or part of program costs are to be met by receipt of new jobs credit from withholding, the provisions of this subsection shall also apply to any successor to the original employer until such time as the principal and interest on the certificates have been paid.

178.895. 1. To provide funds for the present payment of the costs of new jobs training programs, a community

college district **or a state technical college** may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement including disbursements from the Missouri community college job training program to the special fund established by the district **or the college** for each project. The total amount of outstanding certificates sold by all junior college districts **and the state technical college** shall not exceed twenty million dollars, unless an increased amount is authorized in writing by a majority of members of the Missouri job training joint legislative oversight committee. The certificates shall be marketed through financial institutions authorized to do business in Missouri. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board of trustees, and may bear interest at such rate or rates as the board of trustees shall determine, notwithstanding the provisions of section 108.170, RSMo, to the contrary. However, chapter 176, RSMo, does not apply to the issuance of these certificates. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board of trustees may provide by resolution authorizing the issuance of the certificates.

2. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. They may be issued for the purpose of refunding a like, greater, or lesser principal amount of certificates and may bear a higher, lower, or equivalent rate of interest than the certificates being renewed or refunded.

3. Before certificates are issued, the board of trustees shall publish once a notice of its intention to issue the certificates, stating the amount, the purpose, and the project or projects for which the certificates are to be issued. A person may, within fifteen days after the publication of the notice, by action in the circuit court of a county in the district, appeal the decision of the board of trustees to issue the certificates. The action of the board of trustees in determining to issue the certificates is final and conclusive unless the circuit court finds that the board of trustees has exceeded its legal authority. An action shall not be brought which questions the legality of the certificates, the power of the board of trustees to issue the certificates, the effectiveness of any proceedings relating to the authorization of the project, or the authorization and issuance of the certificates from and after fifteen days from the publication of the notice of intention to issue.

4. The board of trustees shall determine if revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

5. Certificates issued under this section shall not be deemed to be an indebtedness of the state [or]**,** the community college district**, the state technical college** or of any other political subdivision of the state and the principal and interest on such certificates shall be payable only from the sources provided in subdivision (1) of section 178.893 which are pledged in the agreement.

6. The department of economic development shall coordinate the new jobs training program, and may promulgate rules that districts **and the state technical college** will use in developing projects with new and expanding industrial new jobs training proposals which shall include rules providing for the coordination of such proposals with the service delivery areas established in the state to administer federal funds pursuant to the federal Job Training Partnership Act. No rule or portion of a rule promulgated under the authority of sections 178.892 to 178.896 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

7. [No] **A** community college district [may] **and the state technical college shall not** sell certificates as described in this section after July 1, 1998.

178.896. 1. There is hereby established within the state treasury a special fund, to be known as the "Missouri Community College Job Training Program Fund", to be administered by the division of job development and training. The department of revenue shall credit to the community college job training program fund, as received, all new jobs credit from withholding remitted by employers pursuant to section 178.894. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. The general assembly, however, shall not provide for any transfer of general revenue funds into the community college job training program fund. Moneys in the Missouri community college job training program fund shall be disbursed to the division of job development and training pursuant to regular appropriations by the general assembly. The division shall disburse such appropriated funds in a timely manner into the special funds established by community college districts **and the state technical college** for projects, which funds shall be used to pay program costs, including the principal of, premium, if any, and interest on certificates issued by the district to finance or refinance, in whole or in part, a project. Such disbursements by the division of job development and training shall be made to the special fund for each project in the same proportion as the new jobs credit from withholding remitted by the employer participating in such project bears to the total new jobs credit from withholding remitted by all employers participating in projects during the period for which the disbursement is made. Moneys for new jobs training programs established under the provisions of sections 178.892 to 178.896 shall be obtained from appropriations made by the general assembly from the Missouri community college job training program fund. All moneys remaining in the Missouri community college job training program fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided in section 33.080, RSMo, but shall remain in the Missouri community college job training program fund.

2. The department of revenue shall develop such forms as are necessary to demonstrate accurately each employer's new jobs credit from withholding paid into the Missouri community college job training program fund. The new jobs credit from withholding shall be accounted as separate from the normal withholding tax paid to the department of revenue by the employer. Reimbursements made by all employers to the Missouri community college job training program fund shall be no less than all allocations made by the division of job development and training to all community college districts for all projects. The employer shall remit the amount of the new job credit to the department of revenue in the same manner as provided in sections 143.191 to 143.265, RSMo.

3. Sections 178.892 to 178.896 shall expire July 1, 2008."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1
to
Senate Amendment No. 12

Amend Senate Amendment No. 12 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 10, Section 19, Line 17, by adding immediately after the word "then" on said line the following: "the employee shall credit to the board the amount of such difference, then".

Senate Amendment No. 2
to
Senate Amendment No. 12

Amend Senate Amendment No. 12 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 11, Section 21, Lines 19-21, by deleting all of said lines following the "." on line 19.

Senate Amendment No. 3
to
Senate Amendment No. 12

Amend Senate Amendment No. 12 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 3, Section 8, Line 24 of said page, by deleting the word "telemarketing" on said line and inserting in lieu thereof the word "telecommunications"; and

Further amend said bill, page and section, line 25, by deleting the words "a depositary institution" on said line.

Senate Amendment No. 12

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Pages 132-148, Sections 7-23, by deleting all of said sections and inserting in lieu thereof the following:

"**Section 7. Sections 7 to 22 of this act shall be known as the "Missouri Business Use Incentives for Large-Scale Development Act".**

Section 8. As used in sections 7 to 22 of this act, the following terms mean:

(1) "Assessment", an amount of up to five percent of the gross wages paid in one year by an eligible industry to all eligible employees in new jobs;

(2) "Board", the Missouri development finance board as created by section 100.265, RSMo;

(3) "Certificates", the revenue bonds or notes authorized to be issued by the board pursuant to section 35 of this act;

(4) "Credit", the amount agreed to between the board and an eligible industry, but not to exceed the assessment attributable to the eligible industry's project;

(5) "Department", the Missouri department of economic development;

(6) "Director", the director of the department of economic development;

(7) "Economic development project":

(a) The acquisition of any real property by the board, the eligible industry, or its affiliate; or

(b) The fee ownership of real property by the eligible industry or its affiliate; and

(c) For both paragraphs (a) and (b) of subdivision (7) of this section, "economic development project" shall also include the development of the real property including construction, installation, or equipping of a project,

including fixtures and equipment, and facilities necessary or desirable for improvement of the real property, including surveys; site tests and inspections; subsurface site work; excavation; removal of structures, roadways, cemeteries and other surface obstructions; filling, grading and provision of drainage, storm water retention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities; off-site construction of utility extensions to the boundaries of the real property; and the acquisition, installation, or equipping of facilities on the real property, for use and occupancy by the eligible industry or its affiliates;

(8) "Eligible employee", a person employed on a full-time basis in a new job at the economic development project averaging at least thirty-five hours per week who was not employed by the eligible industry or a related taxpayer in this state at any time during the twelve-month period immediately prior to being employed at the economic development project;

(9) "Eligible industry", a business located within the state of Missouri which is engaged in interstate or intrastate commerce for the purpose of manufacturing, processing or assembling products, conducting research and development, or providing services in interstate commerce, office industries, or agricultural processing, but excluding retail health or professional services. "Eligible industry" does not include a business which closes or substantially reduces its operation at one location in the state and relocates substantially the same operation to another location in the state. This does not prohibit a business from expanding its operations at another location in the state provided that existing operations of a similar nature located within the state are not closed or substantially reduced. This also does not prohibit a business from moving its operations from one location in the state to another location in the state for the purpose of expanding such operation provided that the board determines that such expansion cannot reasonably be accommodated within the municipality in which such business is located, or in the case of a business located in an incorporated area of the county, within the county in which such business is located, after conferring with the chief elected official of such municipality or county and taking into consideration any evidence offered by such municipality or county regarding the ability to accommodate such expansion within such municipality or county. An eligible industry must:

(a) Invest a minimum of fifteen million dollars, or ten million dollars for an office industry, in an economic development project; and

(b) Create a minimum of one hundred new jobs for eligible employees at the economic development project or a minimum of five hundred jobs if the economic development project is an office industry;

(10) "New job", a job in a new or expanding eligible industry not including jobs of recalled workers, replacement jobs or jobs that formerly existed in the eligible industry in the state;

(11) "Office industry", a regional, national or international headquarters, a telemarketing operation, a computer operation, an insurance company, a depository institution or a credit card billing and processing center;

(12) "Program costs", all necessary and incidental costs of providing program services including payment of the principal of premium, if any, and interest on certificates, including capitalized interest, issued to finance a project, and funding and maintenance of a debt service reserve fund to secure such certificates. Program costs shall include:

(a) Obligations incurred for labor and obligations incurred to contractors, subcontractors, builders and materialmen in connection with the acquisition, construction, installation or equipping of an economic development project;

(b) The cost of acquiring land or rights in land and any cost incidental thereto, including recording fees;

(c) The cost of contract bonds and of insurance of all kinds that may be required or necessary during the course of acquisition, construction, installation or equipping of an economic development project which is not paid by the contractor or contractors or otherwise provided for;

(d) All costs of architectural and engineering services, including test borings, surveys, estimates, plans and specifications, preliminary investigations and supervision of construction, as well as the costs for the performance of all the duties required by or consequent upon the acquisition, construction, installation or equipping of an economic development project;

(e) All costs which are required to be paid under the terms of any contract or contracts for the acquisition, construction, installation or equipping of an economic development project; and

(f) All other costs of a nature comparable to those described in this subdivision;

(13) "Program services", administrative expenses of the board, including contracted professional services, and the cost of issuance of certificates.

Section 9. 1. The Missouri development finance board shall have, in addition to the powers provided to it in sections 100.250 to 100.297, RSMo, and with the approval of the department, all the powers necessary to carry out and effectuate the purposes and provisions of sections 7 to 22 of this act, including, but not limited to, the power to:

(1) Provide and finance economic development projects, pursuant to the provisions of sections 7 to 22 of this act, and cooperate with eligible industries in order to promote, foster and support economic development within the state;

(2) Conduct hearings and inquiries, in the manner and by the methods as it deems desirable, for the purpose of gathering information with respect to eligible industries and economic development projects, and for the purpose of making any determinations necessary or desirable in the furtherance of sections 7 to 22 of this act; and

(3) Negotiate the terms of, including the amount of project costs, and enter into financing agreements with eligible industries, and in connection therewith to acquire, convey, sell, mortgage, finance or otherwise dispose of any property, real or personal, loan bond proceeds, and permit the use of assessments, in connection with an economic development project, and to pay, or cause to be paid, in accordance with the provisions of a financing agreement, the program costs of an economic development project from any funds available therefor.

2. Certificates issued by the board pursuant to the provisions of sections 7 to 22 of this act shall not constitute an indebtedness or liability of the state of Missouri within the meaning of any state constitutional provision or statutory limitation, shall not constitute a pledge of the faith and credit of the state of Missouri, shall not be guaranteed by the credit of the state, and unless approved by a concurrent resolution of the general assembly, no certificate in default shall be paid by the state of Missouri.

Section 10. 1. The department, in conjunction with the board, shall establish the procedures and standards for the determination and approval of eligible industries and their economic development projects by the promulgation of rules or regulations in accordance with sections 7 to 22 of this act, chapter 536, RSMo, and section 620.1066, RSMo. These rules or regulations shall mandate the evaluation of the credit worthiness of eligible industries, the number of new jobs to be provided by an economic development project to residents of the state, and the likelihood of the economic success of the economic development project. No economic development project which will result in the replacement of facilities existing in the state shall be approved by the board.

2. With respect to each eligible industry making an application to the board for incentives, and with respect to the economic development project described in the application, the board shall request relevant information, documentation and other materials and make inquiries of the applicant as necessary or appropriate. After a diligent review of relevant materials and completion of its inquiries, the board may by resolution designate an economic development project.

Section 11. The board may enter into, with the approval of the department and in consultation with the office of administration, with any eligible industry, a financing agreement with respect to its economic development project. Subject to the inclusion of the mandatory provisions set forth in sections 7 to 22 of this act, the terms and provisions of each financing agreement shall be determined by negotiations between the board and the eligible industry.

Section 12. The financing agreement shall provide in substance that:

(1) It may be assigned by the eligible industry only upon the prior written consent of the board following the adoption of a resolution by the board to such effect; and

(2) Upon default by the eligible industry in any obligations under the financing agreement or other documents evidencing, securing or related to the eligible industry's obligations, the board shall have the right, at its option, to:

(a) Declare the financing agreement or other such documents in default;

(b) Accelerate and declare the total of all such payments due by the eligible industry and sell the economic development project at public, private, or judicial sale;

(c) Pursue any remedy provided under the financing agreement or other such documents;

(d) Be entitled to the appointment of a receiver by the circuit court wherein any part of the economic development project is located; and

(e) Pursue any other applicable legal remedy.

Section 13. After receipt of an application, the board may with the approval of the department, enter into an agreement with an eligible industry for a credit pursuant to sections 7 to 22 of this act if the board determines that all of the following conditions exist:

(1) The applicant's project will create new jobs that were not jobs previously performed by employees of the applicant in Missouri;

(2) The applicant's project is economically sound and will benefit the people of Missouri by increasing opportunities for employment and strengthening the economy of Missouri;

(3) The political subdivisions affected by the project have committed significant local incentives with respect to the project;

(4) Receiving the credit is a major factor in the applicant's decision to go forward with the project and not receiving the credit will result in the applicant not creating new jobs in Missouri;

(5) Awarding the credit will result in an overall positive fiscal impact to the state;

(6) There is at least one other state that the applicant verifies is being considered for the project; and

(7) A significant disparity is identified, using best available data in the projected costs for the applicant's project compared to the costs in the competing state, including the impact of the competing state's incentive programs. The competing state's incentive program shall include state, local, private and federal funds.

Section 14. In determining the credit that should be awarded, the board shall take into consideration the following factors:

(1) The economy of the county where the projected investment is to occur;

(2) The potential impact on the economy of Missouri;

(3) The payroll attributable to the project;

(4) The capital investment attributable to the project;

(5) The amount the average wage paid by the applicant exceeds the average wage paid within the county in which the project will be located;

(6) The costs to Missouri and the affected political subdivisions with respect to the project;

(7) The financial assistance that is otherwise provided by Missouri and the affected political subdivisions; and

(8) The magnitude of the cost differential between Missouri and the competing state.

Section 15. The board shall determine the amount and duration of a project and its associated assessments, credits and refunds. The credit amount may not exceed the estimated assessment. Assessments made for any project may not exceed a period of fifteen years.

Section 16. An agreement between the board and an eligible industry shall include all of the following:

(1) A detailed description of the project that is the subject of the agreement;

(2) A specific method for determining the number of new employees employed during a taxable year who are performing jobs not previously performed by an employee of the eligible industry;

(3) A requirement that the taxpayer shall annually report to the board the number of new employees who are performing jobs not previously performed by an employee, the total amount of salaries and wages paid to eligible employees in new jobs, and any other information the board needs to perform its duties pursuant to sections 7 to 22 of this act;

(4) A requirement that the taxpayer shall provide written notification to the director and the board not more than thirty days after the taxpayer makes or receives a proposal that would transfer the taxpayer's state tax liability obligations to a successor taxpayer;

(5) Any other performance conditions that the board and the director determine are appropriate; and

(6) A requirement that the taxpayer shall maintain operations at the project location for at least two times the number of years as the term of the tax credit.

Section 17. If the board determines that an eligible industry, which has received a credit pursuant to sections 7 to 22 of this act, is not complying with the requirements of the credit agreement or all of the provisions of sections 7 to 22 of this act, the board shall, after giving the industry an opportunity to explain the noncompliance, notify the department of revenue of the noncompliance and request a penalty. The board shall state the amount of the penalty, which may not exceed the sum of any previously allowed assessments pursuant to sections 7 to 22 of this act.

Section 18. On an annual basis, the director shall provide for an evaluation of the program. The evaluation shall include an assessment of the effectiveness of the program in creating new jobs in Missouri and of the revenue impact of the program. The director shall submit a report on the evaluation to the governor, the president pro tem of the senate, and the speaker of the house of representatives.

Section 19. An agreement between the board and an eligible industry shall provide that all or part of program costs are to be met by receipt of assessments. Assessments shall be based upon wages paid to eligible employees. If business or employment conditions cause the amount of the assessment to be less than the amount projected in the agreement for any time period, then a portion of withholding tax paid by the employer

pursuant to sections 143.191 to 143.265, RSMo, may be credited to the board by the amount of such difference. The employer shall remit the amount of the assessment to the board. When all program costs, including the principal of, premium, if any, and interest on the certificates have been paid, the employer credits shall cease.

Section 20. 1. The board shall establish a special fund for and in the name of each project. All received by the board in respect of the project and required by the agreement to be used to pay program costs for the project shall be deposited in the special fund. Amounts held in the special fund may be used and disbursed by the board only to pay program costs for the project.

2. Any disbursement in respect of a project pursuant to the provisions of sections 7 to 22 of this act, and the special fund into which it is paid, may be irrevocably pledged by the board for the payment of the principal of, premium, if any, and interest on the certificate issued by the board to finance or refinance, in whole or in part, the project.

3. The employer shall certify to the department of revenue that the assessment is in accordance with an agreement and shall provide other information the department may require.

4. If an agreement provides that all or part of program costs are to be met by receipt of assessments, the provisions of this section shall also apply to any successor to the original employer until such time as the principal and interest on the certificates have been paid.

Section 21. 1. To provide funds for the present payment of the costs of economic development projects, the board may borrow money and issue and sell certificates payable from a sufficient portion of the future receipts of payments authorized by the agreement. The total amount of outstanding certificates sold by the board shall not exceed thirty-five million dollars. This amount can be increased if authorized in writing by the commissioner of administration and the chairman of the senate appropriations committee and the chairman of the house budget committee. The receipts shall be pledged to the payment of principal of and interest on the certificates. Certificates may be sold at public sale or at private sale at par, premium, or discount of not less than ninety-five percent of the par value thereof, at the discretion of the board, and may bear interest at such rate or rates as the board shall determine, notwithstanding the provisions of section 108.170, RSMo, to the contrary. Certificates may be issued with respect to a single project or multiple projects and may contain terms or conditions as the board may provide by resolution authorizing the issuance of the certificates.

2. Certificates issued to refund other certificates may be sold at public sale or at private sale as provided in this section with the proceeds from the sale to be used for the payment of the certificates being refunded. The refunding certificates may be exchanged in payment and discharge of the certificates being refunded, in installments at different times or an entire issue or series at one time. Refunding certificates may be sold or exchanged at any time on, before, or after the maturity of the outstanding certificates to be refunded. They may be issued for the purpose of refunding a like, greater or lesser principal amount of certificates and may bear a higher, lower or equivalent rate of interest than the certificates being renewed or refunded.

3. The board shall determine if revenues provided in the agreement are sufficient to secure the faithful performance of obligations in the agreement.

4. Certificates issued pursuant to this section shall not be deemed to be an indebtedness of the state or the board or of any political subdivision of the state.

Section 22. 1. The approved company shall remit to the board a job development assessment fee, not to exceed five percent of the gross wages of each eligible employee whose job was created as a result of the economic development project, for the purpose of retiring bonds which fund the economic development project.

2. Any approved company remitting an assessment as provided in subsection 1 of this section shall make its payroll books and records available to the board at such reasonable times as the board shall request and shall file with the board documentation respecting the assessment as the board may require.

3. Any assessment remitted pursuant to subsection 1 of this section shall cease on the date the bonds are retired.

4. Any approved company which has paid an assessment for debt reduction shall be allowed a tax credit equal to the amount of the assessment. The tax credit may be claimed against taxes otherwise imposed by chapter 143 and 148, RSMo, except withholding taxes imposed under the provisions of sections 143.191 to 143.265, RSMo, which were incurred during the tax period in which the assessment was made.

5. The director of revenue shall issue a refund to the approved company to the extent that the amount of credits allowed in subsection 4 of this section exceed the amount of the approved company's income tax."; and

Further amend the title and enacting clause accordingly, and renumber remaining sections accordingly.

Senate Amendment No. 13

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute

for House Bill No. 1237, Page 98, Section 338.056, Lines 1 through 5 of said page, by deleting all of said lines and inserting in lieu thereof the following:

"**4. Notwithstanding the provisions of subsection 2 of this section, a pharmacist may fill a prescription for a brand name drug by substituting a generically equivalent drug when generic substitution is allowed, in accordance with the laws of the state where the prescribing practitioner is located.**".

Senate Amendment No. 14

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 78, Section 144.030, Line 21 of said page, by inserting immediately after "items" the following: "**, including samples and materials used to manufacture samples which may be dispensed by a practitioner authorized to dispense such samples**".

Senate Amendment No. 15

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 155, Section B, Line 1, by inserting immediately before said line, the following:

"**Section 27. 1. Beginning in 1997, and at least every four years thereafter, or earlier if requested by at least two members of the selection panel, an independent cost benefit analysis shall be prepared to evaluate the effectiveness of all programs operated by the department of economic development. Each analysis shall be conducted by a nationally recognized accounting firm or other firm possessing expertise in the field of cost benefit analysis and the use of econometric models. The criteria for the selection of such firm shall be etablished by a panel composed of the governor, the treasurer and the auditor, or their designees. The office of administration shall issue and administer the contracts. The result of each analysis shall be published and distributed to the governor, the speaker of the house of representatives, and the president pro tem of the senate.**

2. Each analysis shall include, but not be limited to, the cost to the state and political subdivisions for each program, the direct state and indirect state benefits and the direct local and indirect local benefits associated with each program, the safeguards to protect noneconomic influences in the award of programs administered by the department, and the likelihood of the economic activity taking place without the program."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 16

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 96, Section 274.310, Line 17 of said page by inserting immediately after said line the following:

"305.230. 1. The state highways and transportation commission shall administer an aeronautics program within this state. The state commission shall encourage, foster and participate with the political subdivisions of this state in the promotion and development of aeronautics. The state commission may provide financial assistance in the form of grants from funds appropriated for such purpose to any political subdivision of this state acting independently or jointly **or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration** for the planning, acquisition, construction, improvement or maintenance of airports, or for other aeronautical purposes.

2. Any political subdivision of this state **or the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration** receiving state funds for the purchase, construction, or improvement, except maintenance, of an airport shall agree before any funds are paid to it to control by ownership or lease the airport for a period equal to the useful life of the project as determined by the state commission following the last payment of state or federal funds to it. In the event an airport authority ceases to exist for any reason, this obligation shall be carried out by the governing body which created the authority.

3. Unless otherwise provided, grants to political subdivisions **or to the owner or owners of any privately owned airport designated as a reliever by the Federal Aviation Administration** shall be made from the aviation trust fund. The aviation trust fund is a revolving trust fund exempt from the provisions of section 33.080, RSMo, relating to the transfer of funds to the general revenue funds of the state by the state treasurer. All interest earned upon the balance in the aviation trust fund shall be deposited to the credit of the same fund.

4. The moneys in the aviation trust fund shall be administered by the state commission and, when appropriated, shall be used for the following purposes:

(1) As matching funds on an up to eighty percent state/twenty percent local basis, except in the case where federal funds are being matched, when the ratio of state and local funds used to match the federal funds shall be fifty percent state/fifty percent local:

(a) For preventive maintenance of runways, taxiways and aircraft parking areas, and for emergency repairs of the same;

(b) For the acquisition of land for the development and improvement of airports;

(c) For the earthwork and drainage necessary for the construction, reconstruction or repair of runways, taxiways, and aircraft parking areas;

(d) For the construction, or restoration of runways, taxiways, or aircraft parking areas;

(e) For the acquisition of land or easements necessary to satisfy Federal Aviation Administration safety requirements;

(f) For the identification, marking or removal of natural or manmade obstructions to airport control zone surfaces and safety areas;

(g) For the installation of runway, taxiway, boundary, ramp, or obstruction lights, together with any work directly related to the electrical equipment;

(h) For the erection of fencing on or around the perimeter of an airport;

(i) For purchase, installation or repair of air navigational and landing aid facilities and communication equipment;

(j) For engineering related to a project funded under the provisions of this section and technical studies or consultation related to aeronautics;

(k) For airport planning projects including master plans and site selection for development of new airports, for updating or establishing master plans and airport layout plans at existing airports;

(l) For the purchase, installation, or repair of safety equipment and such other capital improvements and equipment as may be required for the safe and efficient operation of the airport;

(2) As total funds, with no local match:

(a) For providing air markers, windsocks, and other items determined to be in the interest of the safety of the general flying public;

(b) For the printing and distribution of state aeronautical charts and state airport directories on an annual basis, and a newsletter on a quarterly basis or the publishing and distribution of any public interest information deemed necessary by the state commission;

(c) For the conducting of aviation safety workshops;

(d) For the promotion of aerospace education.

5. The general assembly may appropriate to the aviation trust fund an amount not to exceed five million dollars in each fiscal year for the purposes of this section. If on January thirty-first of any year, the unobligated balance of the aviation trust fund exceeds five million dollars, no appropriation shall be made for the following fiscal year.

6. In the event of a natural or manmade disaster which closes any runway or renders inoperative any electronic or visual landing aid on an airport, any funds appropriated for the purpose of capital improvements or maintenance of airports may be made immediately available for necessary repairs once they are approved by the Missouri highway and transportation department. For projects designated as emergencies by the Missouri highway and transportation department, all requirements relating to normal procurement of engineering and construction services are waived."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 17

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 155, Section B, Line 22, by inserting immediately before said line the following:

"**Section 27. Any nonprofit organization connected with a global community project directed toward the year 2004 and designated by the governing body of a city not within a county or a county with a population of over nine hundred thousand may authorize the use of a "St. Louis 2004" official emblem described in this section to be affixed on personalized license plates as provided in this section. Any vehicle owner may annually apply to a designated nonprofit organization for the use of the emblem. Upon annual application and payment of a twenty-five dollar emblem-use contribution to any designated nonprofit organization, such nonprofit organization shall issue to the vehicle owner, without further charge, an "emblem-use authorization statement", which shall be presented by the vehicle owner to the department of revenue at the time of registration. Upon presentation of the emblem-use authorization statement and payment of the fee required for personalized license plates in section 301.144, and other fees and documents which may be required by law, the department of revenue shall issue a personalized license plate, which shall bear the "St. Louis 2004" emblem described in this section, to the vehicle owner. The emblem design shall be approved by the governing bodies**

of a city not within a county and any county with a population of over nine hundred thousand. Each such license plate shall be embossed with the words "ST. LOUIS 2004" at the bottom of the plate. The license plate authorized by this section shall be made with fully reflective material with a common color scheme and design approved by the advisory committee established in section 301.129. The plates shall be clearly visible at night and shall be aesthetically attractive, as prescribed by section 301.130. A vehicle owner, who was previously issued a plate with the emblem authorized by this section who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the prescribed emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section and shall design all necessary forms. Any contribution to a designated nonprofit organization derived from this section may be used for any civic purpose deemed appropriate by the nonprofit organization."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 18

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 149, Section 24, Line 10 of said page, by inserting immediately after "costs." the following:

"**However, such reimbursement shall not be less than twenty-five percent nor more than one hundred percent of the district's tax increment.**".

Senate Amendment No. 19

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 155, Section 26, Line 21 of said page, by inserting immediately after said line, the following:

"**Section 27. Notwithstanding the provisions of any other law to the contrary, the governing body of any third class city with a population of at least fifteen thousand but not more than seventeen thousand inhabitants which is the county seat of a county of the fourth classification which has a state university located in such city may annex areas along a road or highway up to two miles from the existing boundaries of the city for the purpose of promoting economic development through the refurbishing of existing structures and the construction and maintenance of infrastructure and property for the enhancement of community development of an existing airport.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 22

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 116, Section 620.1039, Line 11 of said page, by inserting immediately after said line, the following:

"643.310. 1. The commission may, by rule, establish a motor vehicle emissions inspection program under sections 643.300 to 643.355 for any **urbanized** portion of a nonattainment area located within the area described in subsection 1 of section 643.305, **as determined by the local metropolitan planning organization, on the condition that the exemption of certain rural areas may not effect the credits available to the nonattainment area** except for any portion of the nonattainment area which is located in a county of the first classification without a charter form of government with a population of less than one hundred thousand inhabitants according to the most recent decennial census, if the commission determines that such motor vehicle emissions inspection program is necessary in that area to comply with the requirements of subsection 1 of section 643.305, except that no motor vehicle emission inspection program shall be established under this section in any area for which the sale or dispensing of conventional gasoline for use in motor vehicles is prohibited under the federal Clean Air Act, as amended, 42 U.S.C. 7545. The commission shall ensure that, for each nonattainment area, the state implementation plan establishted under subsection 1 of section 643.305 incorporates and receives all applicable credits allowed by the United States Environmental Protection Agency for emission reduction programs in other nonattainment areas of like designation in other states. The commission shall ensure that emission reduction amounts established under subsection 2 of section 643.305 shall be consistent with and not exceed the emissions reduction amounts required by the United States Environmental Protection Agency for other nonattainment areas of like designation in other states. No motor vehicle emissions inspection program shall be required to comply with subsection 1 of section 643.305 unless the plan established thereunder takes full advantage of any changes in requirements or any agreements made or entered into by the United States Environmental Protection Agency and any entity or entities on behalf of a nonattainment area concerning compliance with National Ambient Air Quality Standards of the federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq., and the regulations promulgated thereunder. The air conservation commission shall request and it shall be the duty of the attorney general to bring, in a court of competent jurisdiction, an action challenging the authority of the United States Environmental Protection Agency to impose sanctions for failure to attain National Ambient Air Quality Standards and failure to provide for required emission reductions under the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq. The action shall seek to define the required emission reductions and the credits allowed for current and planned

emission reductions measures. The air conservation commission shall request and it shall be the duty of the attorney general to bring an action to obtain injunctive relief to enjoin and restrain the imposition of sanctions on the state of Missouri under the federal Clean Air Act, as amended, 42 U.S.C. 7401, et seq., until all actions initiated under this section have been decided. Provisions of section 307.366, RSMo, to the contrary notwithstanding, the requirements of sections 643.300 to 643.355 shall apply to those areas designated by the commission under this section in lieu of the provisions of section 307.366, RSMo. **On or before December 31, 1996, the department of natural resources and the Missouri state highway patrol shall enter into an interagency agreement covering all aspects of the administration and enforcement of section 307.366, RSMo, and sections 643.300 to 643.355.**

2. The department shall [contract with one or more] **license, subject to annual renewal,** persons **and specific locations** to provide any motor vehicle emissions inspection program established under sections 643.300 to 643.355.

[3. The department may purchase the motor vehicle emissions inspection facilities pursuant to appropriations specifically provided for that purpose. The department may lease, sublease or license the facilities to the contractor or contractors for the purpose of fulfilling the obligations of the contract for the motor vehicle emissions inspection program.

4.] **3.** The inspection program **and license agreements** shall satisfy the following criteria:

(1) There shall be an adequate number of stations **licensed** to ensure that no more than twenty percent of all persons residing in an affected nonattainment area reside farther than five miles from the nearest inspection station, and consideration shall be given to employment, locations and commuting patterns when [selecting] **licensing** the locations of the stations**. When establishing the number and location of stations, public convenience shall be given highest priority, and the opportunity for financial viability of the stations shall also be considered**;

(2) There shall be an adequate number of inspection lanes at each facility so that no more than five percent of all persons having an inspection are required to wait more than fifteen minutes before the inspection begins;

(3) There shall be at least three licensed stations which are capable of testing vehicles which operate only in a four-wheel-drive mode;

[(3)] **(4)** The days and daily hours of operation shall include at least those hours specified by the department, which shall include, at a minimum, twelve continuous hours of operation on all weekdays excepting federal holidays, and six continuous hours of operation on all Saturdays excepting federal holidays;

[(4)] **(5)** The emissions inspection program shall include a simulated on-road emissions inspection component, including pressure and purge tests, which satisfies **at least** the **minimum** requirements established by regulation of the United States Environmental Protection Agency **for such components and tests** and may include a visual inspection component;

[(5)] **(6)** The inspection stations shall be test-only stations and shall not offer motor vehicle emissions repairs, parts or services of any kind;

[(6)] **(7)** No person operating or employed by an emissions inspection station shall repair or maintain motor vehicle emission systems or pollution control devices for compensation of any kind[.]**;**

(8) The inspections shall be performed by an inspector approved and certified by the commission and the inspector performing such inspections shall satisfy all applicable requirements of sections 643.300 to 643.355.

[5.] **4.** The commission, the department of economic development and the office of administration shall, in cooperation with the minority business advocacy commission, select [the contractor or contractors] **licensees** to provide an inspection program which satisfies the [minimum] requirements of this section in accordance with the requirements of section 33.752, RSMo, and chapter 34, RSMo. The commission, the office of administration and the department of economic development, in cooperation with the minority business advocacy commission shall ensure adequate minority business participation**, strive to promote racial and cultural diversity and give preference to owner operated and managed businesses** in the selection of [the contractor or contractors] **licensees** to provide an inspection program under this section. The commission, the office of administration and the department of economic development shall ensure adequate participation of Missouri businesses in the selection of [the contractor or contractors] **licensees** to provide an inspection program under this section.

[6.] **5.** With approval of the commission and under rules adopted by the commission, [an] **any person, entity or** organization [whose members are motor vehicle dealers or leasing companies] may establish one or more additional emissions inspection facilities, which may be either mobile or stationary, to be used solely to inspect motor vehicles owned and held for sale or lease by the **person, entity or** members of the organization. With approval of the commission and under rules adopted by the commission, any person operating a fleet of [five] **one** hundred or more motor vehicles may establish one or more additional emissions inspection facilities, which may be either mobile or stationary, to be used solely to inspect motor vehicles owned or leased and operated by the person establishing the facility. The inspections performed in facilities established under this subsection shall be performed by [a contractor selected] **an inspector approved and certified** by the commission [under

this section] and the [contractor] **inspector** performing such inspections shall [be responsible solely to the department and shall] satisfy all applicable requirements of sections 643.300 to 643.355.

[7.] **6.** Any person who owns Missouri analyzer system emission inspection equipment as defined by rule, used to provide emissions inspections under section 307.366, RSMo, at a facility located in an area in which an emissions inspection program has been established under sections 643.300 to 643.355 may, within twelve months of the implementation of an emissions inspection program under sections 643.300 to 643.355, sell such equipment, to the department of natural resources at current market value as established by an independent appraisal provided that the equipment is fully functional and has been maintained according to all applicable manufacturer's specifications and procedures. The department shall purchase such equipment using funds appropriated for that purpose from the Missouri air emission reduction fund. Any person who, prior to January 1, 1992, contracted to lease or lease purchase, or purchased by borrowing a portion of the funds secured by a chattel mortgage, Missouri Analyzer System emission inspection equipment used to provide emissions inspections under section 307.366, RSMo, at a facility located in an area in which an emissions inspection program has been established under sections 643.300 to 643.355, and has made all payments required under the contract, may, within twelve months of the implementation of an emissions inspection program under sections 643.300 to 643.355, request the department of natural resources to take possession of such equipment and assume all payment obligations owed on such equipment which obligations are not in excess of one hundred and twenty-five percent of the current market value as established by an independent appraisal, provided that the equipment is fully functional and has been maintained according to all applicable manufacturer's specifications and procedures. The department shall take possession of such equipment and pay such obligations using funds appropriated for that purpose from the Missouri air emission reduction fund.

643.315. 1. Except as provided in sections 643.300 to 643.355, all motor vehicles which are **or are to be** domiciled, registered or primarily operated in an area for which the commission has established a motor vehicle emissions inspection program under sections 643.300 to 643.355 shall be inspected and approved prior to sale or transfer. In addition, any such vehicle manufactured as an even-numbered model year vehicle shall be inspected and approved under the emissions inspection program established under sections 643.300 to 643.355 in each even-numbered calendar year and any such vehicle manufactured as an odd-numbered model year vehicle shall be inspected and approved under the emissions inspection program established under sections 643.300 to 643.355 in each odd-numbered calendar year. All motor vehicles subject to the inspection requirements of sections 643.300 to 643.355 shall display a valid emissions inspection sticker, and when applicable, a valid emissions inspection certificate shall be presented at the time of registration or registration renewal of such motor vehicle.

2. No emission standard established by the commission for a given make and model year shall [exceed the lesser] **be more stringent than the less stringent** of the following:

(1) The emission standard for that vehicle model year as established by the United States Environmental Protection Agency; or

(2) The emission standard for that vehicle make and model year as established by the vehicle manufacturer.

3. The inspection requirement of subsection 1 of this section shall apply to all motor vehicles except:

[(1) Motor vehicles with a manufacturer's gross vehicle weight rating in excess of eight thousand five hundred pounds;]

[(2)] **(1)** Motorcycles and motortricycles if such vehicles are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

[(3)] **(2)** Model year vehicles prior to 1971;

[(4)] **(3)** Vehicles which are powered exclusively by electric or hydrogen power or by fuels other than gasoline which are exempted from the motor vehicle emissions inspection under federal regulation and approved by the commission by rule;

[(5)] **(4)** Motor vehicles registered in an area subject to the inspection requirements of sections 643.300 to 643.355 which are domiciled and operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355, but only if the owner of such vehicle presents to the department an affidavit that the vehicle will be operated exclusively in an area of the state not subject to the inspection requirements of sections 643.300 to 643.355 for the next twenty-four months, and the owner applies for and receives a waiver which shall be presented at the time of registration or registration renewal; and

[(6)] **(5)** New and unused motor vehicles, of model years of the current calendar year and of any calendar year within two years of such calendar year, which have an odometer reading of less than six thousand miles at the time of original sale by a motor vehicle manufacturer or licensed motor vehicle dealer to the first user.

4. The commission may, by rule, allow inspection reciprocity with other states having equivalent or more stringent testing and waiver requirements than those established under sections 643.300 to 643.355.

5. (1) At the time of sale, a licensed motor vehicle dealer, as defined in section 301.250, RSMo, may choose to sell a motor vehicle subject to the inspection requirements of sections 643.300 to 643.355 either:

(a) With prior inspection and approval as provided in subdivision (2) of this subsection; or

(b) Without prior inspection and approval as provided in subdivision (3) of this subsection;

(2) If the dealer chooses to sell the vehicle with prior inspection and approval, the dealer shall disclose, in writing, prior to sale, whether the vehicle obtained approval by meeting the emissions standards established under sections 643.300 to 643.355 or by obtaining a waiver under section 643.335;

(3) If the dealer chooses to sell the vehicle without prior inspection and approval, the purchaser may return the vehicle within fourteen days of the date of purchase, provided that the vehicle has no more than one thousand additional miles since the time of sale, if the vehicle fails, upon inspection, to meet the emissions standards specified by the commission and the dealer shall have the vehicle inspected and approved without the option for a waiver of the emissions standard and return the vehicle to the purchaser with a valid emissions certificate and sticker within five working days, or the dealer shall either provide a full refund of the vehicle purchase price or provide a comparable vehicle until the original vehicle is returned to the purchaser with a valid emissions certificate and sticker. If the dealer cannot return the vehicle with a valid emissions certificate and sticker within fifteen additional working days, then, at the purchaser's option, the purchaser may return the vehicle to the dealer for a full refund of the vehicle purchase price, which may include a vehicle taken on trade or the amount allowed for a vehicle taken on trade or the purchaser and dealer may enter into any other mutually acceptable agreement. If the dealer chooses to sell the vehicle without prior inspection and approval, the dealer shall disclose conspicuously on the sales contract and bill of sale that the purchaser has the option to return the vehicle within fourteen days, provided that the vehicle has no more than one thousand additional miles since the time of sale, to have the dealer repair the vehicle and provide an emissions certificate and sticker within five working days if the vehicle fails, upon inspection, to meet the emissions standards established by the commission, or the dealer shall either provide a full refund of the vehicle purchase price or provide a comparable vehicle until the original vehicle is returned to the purchaser with a valid emissions certificate and sticker or, if the vehicle cannot be inspected and approved within fifteen additional working days, then the purchaser may choose to return the vehicle for a full refund, which may include a vehicle taken on trade or the amount allowed for a vehicle taken on trade, or enter into any mutually acceptable agreement with the dealer. A violation of this subdivision shall be an unlawful practice as defined in section 407.020, RSMo. No emissions inspection shall be required under sections 643.300 to 643.360 for the sale of any motor vehicle which may be sold without a certificate of inspection and approval, as provided under subsection 2 of section 307.380.

643.320. 1. The commission shall establish, by rule, procedures, standards, and requirements for the operation of emissions inspection stations and the conduct of emissions inspections.

2. The emissions inspection stations shall be operated in accordance with all requirements established by the commission under this section.

3. The department shall cause unannounced inspections to be made of the operation of each emissions inspection station at least [once] **four times** during each calendar year. The inspection may include submitting a known high emission vehicle for inspection without prior disclosure to the inspection station.

4. The department may require emissions inspection stations to furnish reports, upon forms furnished by the department for that purpose, that the department considers necessary for the administration of sections 643.300 to 643.355.

5. No emissions inspection required under sections 643.300 to 643.355 may be performed at an emissions inspection station unless there is conspicuously posted on the premises of the emissions inspection station a sign which is at least eight feet high and sixteen feet wide and which sign bears the legend: "This inspection is mandated by the United States Environmental Protection Agency under powers granted to it by your United States Senators and Representatives in Washington, D.C." A standard sign, designed by the department and containing letters of at least six inches in height, shall be used by all emissions inspection stations. Such signs shall be furnished by the department to each emissions inspection station at no cost to the station.

6. The commission shall establish, by rule, procedures, standards, and requirements for the certification of emissions inspectors and for the certification of repair technicians. In establishing procedures, standards, and requirements and in certifying inspectors or technicians pursuant to this section, the commission may adopt the tests, standards and certifications of a nationally-recognized accreditation organization for automotive emissions inspectors or automotive repair technicians. Any person who demonstrates his knowledge and ability to conduct an inspection in compliance with the procedures, standards and requirements established by the commission under this subsection may be issued a certificate to conduct inspections pursuant to sections 643.300 to 643.355.

643.335. 1. The commission shall establish, by rule, a waiver amount which may be lower for older model vehicles and which, prior to January 1, 2001, shall be no greater than seventy-five dollars for model year vehicles prior to 1981, no greater than two hundred dollars for model year vehicles of 1981 to 1996 and no greater than four hundred and fifty dollars for model year vehicles of 1997 and all subsequent model years. On and after January 1, 2001, the commission may, by rule, set the waiver amount, except that the waiver amount shall not exceed the waiver amount provided in the federal Clean Air Act, as amended, 42 U.S.C. 7401 et seq., and the regulations promulgated thereunder for the enhanced motor vehicle emissions inspection.

2. The commission shall establish, by rule, a form and a procedure for verifying that repair and adjustment was performed on a failing vehicle prior to the granting of a waiver and approval.

3. The waiver form established under subsection 2 of this section shall be an affidavit requiring:

(1) A statement signed by the repairer that the specified work was done and stating the itemized charges for the work; and

(2) A statement signed by the emissions inspection contractor that an inspection of the vehicle verified, to the extent practical, that the specified work was done.

4. A vehicle which fails upon reinspection to meet the emissions standards specified by the commission shall have the emissions standards waived and receive approval only if the owner furnishes a complete, signed affidavit satisfying the requirements of subsection 3 of this section and the cost of the [repair] **parts, repairs** and adjustment work performed is equal to or greater than the waiver amount established by the commission. **Costs for repair work may only be included toward reaching the waiver amount if the repairs are performed by a repair technician certified by the commission.**

5. No cost for parts, repairs or adjustments shall be included toward reaching the waiver amount if such costs are covered by an emission control performance warranty provided by the manufacturer at no additional cost to the vehicle owner unless the vehicle owner provides, with the affidavit, a written denial of warranty remedy from the motor vehicle manufacturer, dealer or other person providing the warranty.

6. No cost for parts, repairs or adjustments shall be included toward reaching the waiver amount if such costs are required to correct the effects of tampering with emissions systems or air pollution control devices.

643.355. 1. Any person who knowingly misrepresents himself as an official emissions inspection station **or a certified inspector or certified repair technician** shall be guilty of a class C misdemeanor for the first offense and a class B misdemeanor for any subsequent offense. Any person who is found guilty or who has pleaded guilty to a violation of this subsection shall be considered to have committed an offense for the purposes of this subsection.

2. Any person who knowingly manufactures, conveys or possesses any counterfeit or illegally obtained emissions inspection certificate or a counterfeit or illegally obtained emissions inspection sticker shall be guilty of a class C misdemeanor for the first offense and a class B misdemeanor for any subsequent offense. Any person who is found guilty or who has pleaded guilty to a violation of this subsection shall be considered to have committed an offense for the purposes of this subsection.

3. Any person who knowingly displays or permits to be displayed, on any motor vehicle owned by such person, any counterfeit or illegally obtained emissions inspection sticker shall be guilty of an infraction.

4. Any person who knowingly uses any counterfeit or illegally obtained emissions inspection certificate for the purpose of obtaining any motor vehicle registration shall be guilty of an infraction for the first offense, a class C misdemeanor for the second offense and a class B misdemeanor for any subsequent offense.

5. Any person who knowingly operates a motor vehicle required to be inspected and approved under sections 643.300 to 643.355 without displaying a valid emissions inspection sticker as required under section 643.315 shall be guilty of an infraction for the first offense, a class C misdemeanor for the second offense and a class B misdemeanor for any subsequent offense.

6. Except as otherwise provided in this section, any person who violates a requirement of sections 643.300 to 643.355 or a rule promulgated to enforce sections 643.300 to 643.355 shall be guilty of an infraction.

7. The superintendent of the highway patrol may seize documents which the superintendent suspects are counterfeit or illegally obtained in violation of this section for the purpose of enforcing this section. Any person who violates any procedural requirement of sections 643.300 to 643.355 shall be subject to a fine, and such fine shall be not less than five times the amount of the fee charged pursuant to section 643.350 or one hundred dollars, whichever is greater, if the violation is intentional or one involving gross negligence.

8. The unincorporated areas of any county of the first classification without a charter form of government and with a population of at least eighty thousand shall be exempt from regulation under Rule 10-5.070 of the Code of State Regulations until such county has attained a population of at least one hundred thousand."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 23

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 38, Section 135.207, Line 6 of said page, by striking "thirty-two" and inserting in lieu thereof the word "**four**"; and further on line 7, by striking the word "thirty-eight" and inserting in lieu thereof the word "**fifty-nine**"; and

Further amend said bill, page 54, section 135.245, line 26 of said page, by inserting immediately after said line,

the following:

"135.247. 1. Notwithstanding the provisions of sections 135.205, 135.207, and 135.210 or any other provisions to the contrary, any area having been designated by the United States Department of Housing and Urban Development as a federal empowerment zone or by the United States Department of Agriculture as an enterprise community pursuant to the federal Omnibus Budget Reconciliation Act of 1993, title XIII, chapter I, subchapter c, shall immediately upon such federal designation become and remain a state enterprise zone until the expiration of such federal designation.

2. The credits otherwise provided by sections 135.225 and 135.235, the exemption provided by section 135.220, and the refund provided by section 135.245 shall be available to any taxpayer who establishes and operates a new business facility located within a federal empowerment zone or enterprise community on the same terms and conditions specified in sections 135.100 to 135.256. The exemption provided in section 135.215 shall be available to any taxpayer who makes improvements to real property after the date the area is designated as a federal empowerment zone or enterprise community under the same terms and conditions specified in section 135.215.

3. Notwithstanding any provision of law to the contrary, retail businesses, as defined by SICs 52 through 59, **recreational facilities, as defined by SIC 7999,** shall be eligible for all benefits provided under the provisions of sections 135.200 to 135.256, if:

(1) Such retail business is located within a state-designated enterprise zone located wholly or partially within a federal empowerment zone or enterprise community; or

(2) Such retail business is located within a satellite enterprise zone, established pursuant to subdivision (3) of subsection 1 of section 135.207, whether or not such satellite zone is contained within a federal empowerment zone or enterprise community."; and

Further amend the title and enacting clause accordingly

Senate Amendment No. 24

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 73, Section 135.526, Line 13, by inserting after all of said line the following:

"144.011. 1. For purposes of sections 144.010 to 144.525 and 144.600 to 144.748, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of

items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries;

[(11)] The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.450, RSMo, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Repossessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

[(12)**] (13)** Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes; or

(b) Posts or organizations of past or present members of the armed forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the armed forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the armed forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax.";

Further amend the title and enacting clause accordingly.

Senate Amendment No. 1

to

Senate Amendment No. 24

Amend Senate Amendment No. 24 to Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 4, Section 144.011, Line 9, by inserting after the word "toiletries" the following: "and food or confectionery items offered to the guests without charge".

Senate Amendment No. 25

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 73, Section 135.529, Line 13 of said page, by inserting immediately after said line, the following:

"143.782. As used in sections 143.782 to 143.788, unless the context clearly requires otherwise, the following terms shall mean and include:

(1) "Debt", any sum due and legally owed to any state agency which has accrued through contract, subrogation, tort, or operation of law regardless of whether there is an outstanding judgment for that sum, or any support obligation which is being enforced by the division of family services on behalf of a person who is receiving support enforcement services pursuant to section 454.425, RSMo;

(2) "Debtor", any individual, sole proprietorship, partnership, corporation or other legal entity owing a debt;

(3) "Department", the department of revenue of the state of Missouri;

(4) "Refund", the Missouri income tax refund which the department determines to be due any taxpayer [under] **pursuant to** the provisions of this chapter. The amount of a refund shall not include any senior citizens property tax credit provided by sections 135.010 to 135.035, RSMo; and

(5) "State agency", any department, division, board, commission, office, or other agency of the state of Missouri**, including public community college districts**."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 27

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 115, Section 620.1039, Line 2, by deleting "or 143.471," and insert in lieu thereof the following: "**, 143.471 or 148.370**"; and

Further amend said section, line 7, by inserting after "143" the following: "**or Chapter 148**"; and

Further amend said section, page 116, line 1, by placing brackets around the word "income" and on line 2, by inserting after "143" on said line the following "**or Chapter 148**".

Senate Amendment No. 28

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 94, Section 260.831, Line 1 of said page, by inserting immediately after said line, the following:

"**260.833. 1. Each operator of a solid waste sanitary or demolition landfill operated by a municipality located within a county of the first classification with a charter form of government containing part of a city within population of more than three hundred fifty thousand may, upon voter approval as detailed in section 260.835, collect a fee of fifteen cents per ton or its volumetric equivalent of solid waste accepted. Such fee may be collected in addition to any fee authorized or imposed pursuant to the provisions of sections 260.330 and 260.831, and may be paid to such operator by all political subdivisions, municipalities, corporations, entities or persons disposing of solid waste or demolition waste, whether pursuant to contract or otherwise, and notwithstanding that any such contract may provide for collection, transportation and disposal of such waste at a fixed fee. Any such contract providing for collections, transportation and disposal of such waste at a fixed fee which is in force on August 28, 1996, may be renegotiated by the parties to the contract to include the additional fee imposed by this section. Each such operator may submit the fee, less collection costs, to the city, which may dedicate such funds for use by the city and such funds may be used for the management and disposal of hazardous household waste. Collection costs may be the same as established by the department of natural resources pursuant to section 260.330, and may not exceed two percent of the amount collected pursuant to this section.**

2. The fee established in this section may be enumerated separately from any disposal fee charged by the landfill. The fee authorized pursuant to this section may be stated as a separate surcharge on each individual solid waste collection customer's invoice and the invoice may also name the industrial development authority which receives the funds. Moneys transmitted to the city may be no less than the amount collected less collection costs and in a form, manner and frequency as the governing body may prescribe. Failure to collect such fee shall not relieve the operator from responsibility for transmitting an amount equal to the fee to the city.

260.835. 1. The governing body of any city described in section 260.833 is hereby authorized to impose, by ordinance, a fee as detailed in section 260.833. The fee authorized by this section shall be in addition to any and all other applicable fees allowed by law, except that no ordinance imposing a fee under the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city and, at a state or municipal, primary or special election, a proposal to authorize the governing body of the city to impose or retain such a fee.

2. The ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of . . . . . (City's name) allow a solid waste sanitary or demolition landfill to collect a fee of fifteen cents per ton or its volumetric equivalent of solid waste accepted for the purpose of management and disposal of hazardous household waste?

[ ] YES [ ] NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No". If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall become effective sixty days thereafter. If a majority of the votes cast on the proposal by the qualified voters voting are opposed to the proposal, then the governing body of the city shall have no power to allow the fee herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to allow the fee authorized by section 260.833 and such proposal is approved by a majority of the qualified voters voting thereon.

3. All revenue received by a city from the fee authorized pursuant to the provisions of sections 260.833 and 260.835 shall be deposited in a special trust fund and shall be used by the governing body of the city as specified in section 260.833. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds."; and

Further amend the title and enacting clause accordingly

Senate Amendment No. 29

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 17, Section 67.1000, Lines 4 and 5, by placing an opening bracket "[" before the word "more" on line 4 and a closing bracket "]" after the word "but" on line 5.

Senate Amendment No. 30

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 54, Section 135.245, Line 26 of said page, by inserting immediately after said line the following:

"135.247. 1. Notwithstanding the provisions of sections 135.205, 135.207, and 135.210 or any other provisions to the contrary, any area having been designated by the United States Department of Housing and Urban Development as a federal empowerment zone or by the United States Department of Agriculture as an enterprise community pursuant to the federal Omnibus Budget Reconciliation Act of 1993, title XIII, chapter I, subchapter c, shall immediately upon such federal designation become and remain a state enterprise zone until the expiration of such federal designation.

2. The credits otherwise provided by sections 135.225 and 135.235, the exemption provided by section 135.220, and the refund provided by section 135.245 shall be available to any taxpayer who establishes and operates a new business facility located within a federal empowerment zone or enterprise community on the same terms and conditions specified in sections 135.100 to 135.256. The exemption provided in section 135.215 shall be available to any taxpayer who makes improvements to real property after the date the area is designated as a federal empowerment zone or enterprise community under the same terms and conditions specified in section 135.215.

3. Notwithstanding any provision of law to the contrary, retail businesses, as defined by SICs 52 through 59, **and historical hotels, as defined by SIC 7011,**" shall be eligible for all benefits provided [under] **pursuant to** the provisions of sections 135.200 to 135.256, if:

(1) Such retail business is located within a state-designated enterprise zone located wholly or partially within a federal empowerment zone or enterprise community; or

(2) Such retail business is located within a satellite enterprise zone, established pursuant to subdivision (3) of subsection 1 of section 135.207, whether or not such satellite zone is contained within a federal empowerment zone or enterprise community."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 31

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 14, Section 67.641, Line 1 by inserting immediately after "government" on said line, the following: "**on August 28, 1989,**"

Senate Amendment No. 32

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 17, Section 67.1000, Line 20, by inserting after all of said line the following:

"71.015. 1. Should any city, town, or village, not located in any county of the first classification which has adopted a constitutional charter for its own local government, seek to annex an area to which objection is made, the following shall be satisfied:

(1) Before the governing body of any city, town, or village has adopted a resolution to annex any unincorporated area of land, such city, town, or village shall first as a condition precedent determine that the land to be annexed is contiguous to the existing city, town, or village limits and that the length of the contiguous boundary common to the existing city, town, or village limit and the proposed area to be annexed is at least fifteen percent of the length of the perimeter of the area proposed for annexation.

(2) The governing body of any city, town, or village shall propose an ordinance setting forth the following:

(a) The area to be annexed and affirmatively stating that the boundaries comply with the condition precedent referred to in subdivision (1) above;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village;

(c) That the city has developed a "plan of intent" to provide services to the area proposed for annexation;

(d) That a public hearing shall be held prior to the adoption of the ordinance;

(e) When the annexation is proposed to be effective, the effective date being up to thirty-six months from the date of any election held in conjunction thereto.

(3) The city, town, or village shall fix a date for a public hearing on the ordinance and make a good faith effort to notify all fee owners of record within the area proposed to be annexed by certified mail, not less than thirty nor more than sixty days before the hearing, and notify all residents of the area by publication of notice in a newspaper of general circulation qualified to publish legal matters in the county or counties where the proposed area is located, at least [two weeks prior to] **once a week for three consecutive weeks prior to the hearing, with at least one such notice being not more than twenty days and not less than ten days before** the hearing.

(4) At the hearing referred to in subdivision (3), the city, town, or village shall present the "plan of intent" and evidence in support thereof to include:

(a) A list of major services presently provided by the city, town, or village including, but not limited to, police and fire protection, water and sewer systems, street maintenance, parks and recreation, refuse collection, etc.;

(b) A proposed time schedule whereby the city, town, or village plans to provide such services to the residents of the proposed area to be annexed within three years from the date the annexation is to become effective;

(c) The level at which the city, town, or village assesses property and the rate at which it taxes that property;

(d) How the city, town, or village proposes to zone the area to be annexed;

(e) When the proposed annexation shall become effective.

(5) Following the hearing, should the governing body of the city, town, or village vote favorably by ordinance to annex the area, then before proceeding as otherwise authorized by law or charter for annexation of unincorporated areas, file an action in the circuit court of the county in which such unincorporated area is situated, under the provisions of chapter 527, RSMo, praying for a declaratory judgment authorizing such annexation. The petition in such action shall state facts showing:

(a) The area to be annexed and its conformity with the condition precedent referred to in subdivision (1) of this subsection;

(b) That such annexation is reasonable and necessary to the proper development of the city, town, or village; and

(c) The ability of the city, town, or village to furnish normal municipal services of the city, town, or village to the unincorporated area within a reasonable time not to exceed three years after the annexation is to become effective. Such action shall be a class action against the inhabitants of such unincorporated area under the provisions of section 507.070, RSMo.

(6) Except as provided in subsection 3 of this section, if the court authorizes the city, town, or village to make an annexation, the legislative body of such city, town, or village shall not have the power to extend the limits of the city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in the city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed. However, should less than a majority of the total votes cast in the area proposed to be annexed vote in favor of the proposal, but at least a majority of the total votes cast in the city, town, or village vote in favor of the proposal, then the proposal shall again be voted upon in not more than one hundred twenty days by both the registered voters of the city, town, or village and the registered voters of the area proposed to be annexed. If at least two-thirds of the qualified electors voting thereon are in favor of the annexation, then the city, town, or village may proceed to annex the territory. If the proposal fails to receive the necessary majority, no part of the area sought to be annexed may be the subject of another proposal to annex for a period of two years from the date of the election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The elections shall if authorized be held, except as herein otherwise provided, in accordance with the general state law governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory.

(7) Failure to comply in providing services to the said area or to zone in compliance with the "plan of intent" within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in the area at the time the annexation became effective.

(8) No city, town, or village which has filed an action under this section as this section read prior to May 13, 1980, which action is part of an annexation proceeding pending on May 13, 1980, shall be required to comply with subdivision (5) of this subsection in regard to such annexation proceeding[.];

(9) If the area proposed for annexation includes a public road or highway but does not include all of the land adjoining such road or highway, then such fee owners of record, of the lands adjoining said highway shall be permitted to intervene in the declaratory judgment action described in subdivision (5) of this subsection.

2. Notwithstanding any provision of subsection 1 of this section, for any annexation by any city with a population of three hundred fifty thousand or more inhabitants which is located in more than one county that

becomes effective after August 28, 1994, if such city has not provided water and sewer service to such annexed area within three years of the effective date of the annexation, a cause of action shall lie for deannexation, unless the failure to provide such water and sewer service to the annexed area is made unreasonable by an act of God. The cause of action for deannexation may be filed in the circuit court by any resident of the annexed area who is presently residing in the area at the time of the filing of the suit and was a resident of the annexed area at the time the annexation became effective. If the suit for deannexation is successful, the city shall be liable for all court costs and attorney fees.

3. Notwithstanding the provisions of subdivision (6) of subsection 1 of this section, all cities, towns, and villages located in any county of the first classification with a charter form of government with a population of two hundred thousand or more inhabitants which adjoins a county with a population of nine hundred thousand or more inhabitants shall comply with the provisions of this subsection. If the court authorizes any city, town, or village subject to this subsection to make an annexation, the legislative body of such city, town or village shall not have the power to extend the limits of such city, town, or village by such annexation until an election is held at which the proposition for annexation is approved by a majority of the total votes cast in such city, town, or village and by a separate majority of the total votes cast in the unincorporated territory sought to be annexed; except that:

(1) In the case of a proposed annexation in any area which is contiguous to the existing city, town or village and which is within an area designated as flood plain by the Federal Emergency Management Agency and which is inhabited by no more than thirty registered voters and for which a final declaratory judgment has been granted prior to January 1, 1993, approving such annexation and where notarized affidavits expressing approval of the proposed annexation are obtained from a majority of the registered voters residing in the area to be annexed, the area may be annexed by an ordinance duly enacted by the governing body and no elections shall be required; and

(2) In the case of a proposed annexation of unincorporated territory in which no qualified electors reside, if at least a majority of the qualified electors voting on the proposition are in favor of the annexation, the city, town or village may proceed to annex the territory and no subsequent election shall be required.

If the proposal fails to receive the necessary separate majorities, no part of the area sought to be annexed may be the subject of any other proposal to annex for a period of two years from the date of such election, except that, during the two-year period, the owners of all fee interests of record in the area or any portion of the area may petition the city, town, or village for the annexation of the land owned by them pursuant to the procedures in section 71.012. The election shall, if authorized, be held, except as otherwise provided in this section, in accordance with the general state laws governing special elections, and the entire cost of the election or elections shall be paid by the city, town, or village proposing to annex the territory. Failure of the city, town or village to comply in providing services to the area or to zone in compliance with the "plan of intent" within three years after the effective date of the annexation, unless compliance is made unreasonable by an act of God, shall give rise to a cause of action for deannexation which may be filed in the circuit court by any resident of the area who was residing in such area at the time the annexation became effective or by any nonresident owner of real property in such area."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Senate Amendment No. 34

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 155, Section B, Line 1 by inserting immediately before said line, the following:

"**Section 27. 1. Notwithstanding any other provisions of law to the contrary, the authority to issue any new tax credits pursuant to any of the following sections shall terminate on December 31, 1997: sections 32.100 to 32.125, RSMo, sections 135.100 to 135.160, RSMo , and sections 135.200 to 135.256, RSMo.**

2. Notwithstanding any other provisions of law to the contrary, the authority to issue any new tax credits pursuant to any of the following sections shall terminate on December 31, 1988: sections 135.350-135.363, and section 620.495, RSMo.

3. Notwithstanding any other provisions of law to the contrary, the authority to issue any new tax credits pursuant to any of the following sections shall terminate on December 31, 1999: sections 135.400 and 620.1039, RSMo, sections 173.196 to 173.199, RSMo, and sections 447.700 to 447.718, RSMo."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 36

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 124, Section 1, by removing said section; and further amend the title and enacting clause accordingly.

Senate Amendment No. 37

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute

for House Bill No. 1237, Page 73, Section 135.529, Line 13 by inserting immediately after said line the following:

"143.451. 1. Missouri taxable income of a corporation shall include all income derived from sources within this state.

2. A corporation described in subdivision (1) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income from sources within this state, including that from the transaction of business in this state and that from the transaction of business partly done in this state and partly done in another state or states. However:

(1) Where income results from a transaction partially in this state and partially in another state or states, and income and deductions of the portion in the state cannot be segregated, then such portions of income and deductions shall be allocated in this state and other state or states as will distribute to this state a portion based upon the portion of the transaction in this state and the portion in such other state or states.

(2) The taxpayer may elect to compute the portion of income from all sources in this state in the following manner:

(a) The income from all sources shall be determined as provided, excluding therefrom the figures for the operation of any bridge connecting this state with another state.

(b) The amount of sales which are transactions wholly in this state shall be added to one-half of the amount of sales which are transactions partly within this state and partly without this state, and the amount thus obtained shall be divided by the total sales or in cases where sales do not express the volume of business, the amount of business transacted wholly in this state shall be added to one-half of the amount of business transacted partly in this state and partly outside this state and the amount thus obtained shall be divided by the total amount of business transacted, and the net income shall be multiplied by the fraction thus obtained, to determine the proportion of income to be used to arrive at the amount of Missouri taxable income. The investment or reinvestment of its own funds, or sale of any such investment or reinvestment, shall not be considered as sales or other business transacted for the determination of said fraction.

(3) For the purposes of this section, a transaction involving the sale of tangible property is:

(a) "Wholly in this state" if both the seller's shipping point and the purchaser's destination point are in this state;

(b) "Partly within this state and partly without this state" if the seller's shipping point is in this state and the purchaser's destination point is outside this state, or the seller's shipping point is outside this state and the purchaser's destination point is in this state;

(c) Not "wholly in this state" or not "partly within this state and partly without this state" only if both the seller's shipping point and the purchaser's destination point are outside this state;

(d) [This subdivision shall not apply and subdivision (2) of subsection 2 of this section shall apply to transactions in which tangible property was moved from within this state to another state prior to shipment to the purchaser or in which both the seller's shipping point and the purchaser's destination point of tangible property are determined to be in states which do not have jurisdiction to impose a franchise or an income tax on the taxpayer regardless of whether the states impose such a tax;

(e)] For purposes of this subdivision the purchaser's destination point shall be determined without regard to the FOB point or other conditions of the sale, and the seller's shipping point is determined without regard to the location of the seller's principle office or place of business.

3. Any corporation described in subdivision (1) of subsection 1 of section 143.441 organized in this state or granted a permit to operate in this state for the transportation or care of passengers shall report its gross earnings within the state on intrastate business and shall also report its gross earnings on all interstate business done in this state which report shall be subject to inquiry for the purpose of determining the amount of income to be included in Missouri taxable income. The previous sentence shall not apply to a railroad.

4. A corporation described in subdivision (2) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources in this state and all income from each transportation service wholly within this state, from each service where the only lines of such corporation used are those in this state, and such proportion of revenue from each service where the facilities of such corporation in this state and in another state or states are used, as the mileage used over the lines of such corporation in the state shall bear to the total mileage used over the lines of such corporation. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of each year of any fixed transportation facilities, real estate and improvements in this state leased from any other railroad shall be divided by the sum of the total amount of investment of such corporation on December thirty-first of each year in fixed transportation facilities, real estate and improvements, plus the value on December thirty-first of

each year, of any fixed transportation facilities, real estate and improvements leased from any other railroad. Where any fixed transportation facilities, real estate or improvements are leased by more than one railroad, such portion of the value shall be used by each railroad as the rental paid by each shall bear to the rental paid by all lessees. The income shall be multiplied by the fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

5. A corporation described in subdivision (3) of subsection 1 of section 143.441 shall include in its Missouri taxable income one-half of the net income from the operation of a bridge between this and another state. If any such bridge is owned or operated by a railroad corporation or corporations, or by a corporation owning a railroad corporation using such bridge, then the figures for operation of such bridge may be included in the return of such railroad or railroads; or if such bridge is owned or operated by any other corporation which may now or hereafter be required to file an income tax return, one-half of the income or loss to such corporation from such bridge may be included in such return by adding or subtracting same to or from another net income or loss shown by the return.

6. A corporation described in subdivision (4) of subsection 1 of section 143.441 shall include in its Missouri taxable income all income arising from all sources within this state. Income shall include revenue from each telephonic or telegraphic service rendered wholly within this state; from each service rendered for which the only facilities of such corporation used are those in this state; and from each service rendered over the facilities of such corporation in this state and in other state or states, such proportion of such revenue as the mileage involved in this state shall bear to the total mileage involved over the lines of said company in all states. The taxpayer may elect to compute the portion of income from all sources within this state in the following manner:

(1) The income from all sources shall be determined as provided;

(2) The amount of investment of such corporation on December thirty-first of each year in this state in telephonic or telegraphic facilities, real estate and improvements thereon, shall be divided by the amount of the total investment of such corporation on December thirty-first of each year in telephonic or telegraphic facilities, real estate and improvements. The income of the taxpayer shall be multiplied by fraction thus obtained to determine the proportion to be used to arrive at the amount of Missouri taxable income.

7. From the income determined in subsections 2, 3, 4, 5 and 6 of this section to be from all sources within this state shall be deducted such of the deductions for expenses in determining Missouri taxable income as were incurred in this state to produce such income and all losses actually sustained in this state in the business of the corporation.

8. If a corporation derives only part of its income from sources within Missouri, its Missouri taxable income shall only reflect the effect of the following listed deductions to the extent applicable to Missouri. The deductions are: (a) its deduction for federal income taxes pursuant to section 143.171, and (b) the effect on Missouri taxable income of the deduction for net operating loss allowed by Section 172 of the Internal Revenue Code. The extent applicable to Missouri shall be determined by multiplying the amount that would otherwise affect Missouri taxable income by the ratio for the year of the Missouri taxable income of the corporation for the year divided by the Missouri taxable income for the year as though the corporation had derived all of its income from sources within Missouri. For the purpose of the preceding sentence, Missouri taxable income shall not reflect the listed deductions."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 38

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Pages 128-132, Sections 2-6, by deleting all of said sections; and further amend the title and enacting clause accordingly.

Senate Amendment No. 39

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 18, Section 94.875, Line 16 by inserting immediately after said line, the following:

"99.430. 1. Preparation and approval of redevelopment and urban renewal plans shall be carried out within the following regulations:

(1) An authority shall not acquire real property for a land clearance or urban renewal project unless the governing body of the community in which the land clearance project area or urban renewal project area is located has approved the redevelopment or urban renewal plan, as prescribed in subdivision (9) of this section.

(2) An authority shall not prepare a redevelopment or an urban renewal plan for a land clearance or urban renewal project area unless the governing body of the community in which the area is located has declared, by resolution or ordinance, the area to be a blighted, or insanitary area in need of redevelopment or in need of rehabilitation.

(3) An authority shall not recommend a redevelopment or urban renewal plan to the governing body of the

community in which the land clearance or urban renewal project area is located until a general plan for the development of the community has been prepared.

(4) The authority itself may prepare or cause to be prepared a redevelopment or urban renewal plan or any person or agency, public or private, may submit such a plan to an authority. A redevelopment or urban renewal plan shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements and the proposed land uses and building requirements in the land clearance or urban renewal project area, and shall include without being limited to:

(a) The boundaries of the land clearance or urban renewal project area, with a map showing the existing uses and condition of the real property therein;

(b) A land use plan showing proposed uses of the area;

(c) Information showing the standards of population densities, land coverage and building intensities in the area after redevelopment or urban renewal;

(d) A statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, building codes and ordinances;

(e) A statement as to the kind and number of additional public facilities or utilities which will be required in the area after redevelopment or urban renewal; and

(f) A schedule indicating the estimated length of time needed for completion of each phase of the plan.

(5) Prior to recommending a redevelopment or urban renewal plan to the governing body for approval, an authority shall submit the plan to the planning agency, if any, of the community in which the land clearance or urban renewal project area is located for review and recommendations as to its conformity with the general plan for the development of the community as a whole. The planning agency shall submit its written recommendations with respect to the proposed redevelopment or urban renewal plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning agency, or, if no recommendations are received within the thirty days, then without the recommendations, an authority may recommend the redevelopment or urban renewal plan to the governing body of the community for approval.

(6) Prior to recommending a redevelopment or urban renewal plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the land clearance or urban renewal project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the community and its environs which, in accordance with present and future needs, will promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or insanitary areas, or conditions of blight or deterioration, and the provision of adequate, safe and sanitary dwelling accommodations.

(7) The recommendation of a redevelopment or urban renewal plan by an authority to the governing body shall be accompanied by the recommendations, if any, of the planning commission concerning the redevelopment or urban renewal plan; a statement of the proposed method and estimated cost of the acquisition and preparation for redevelopment or urban renewal of the land clearance or urban renewal project area and the estimated proceeds or revenues from its disposal to redevelopers; a statement of the proposed method of financing the project; a statement of a feasible method proposed for the relocation of families to be displaced from the land clearance or urban renewal project area; and a schedule indicating the estimated length of time needed for completion of each phase of the plan.

(8) The governing body of the community shall hold a public hearing on any redevelopment or urban renewal plan or substantial modification thereof recommended by the authority, after public notice thereof by publication in a newspaper of general circulation in the community once each week for [two] **three** consecutive weeks, the last publication to be at least ten days prior to the date set for hearing. **The governing body shall also post a notice at the main entrance to any commercial building, at the entrance to any residential street, and in other public areas within the area covered by the plan. The notices shall be posted at least 15 days prior to the hearing.** The notice shall describe the time, date, place and purpose of the hearing and shall also generally identify the area to be covered by the plan. All interested parties shall be afforded at the public hearing a reasonable opportunity to express their views respecting the proposed redevelopment or urban renewal plan.

(9) Following the hearing, the governing body may approve a redevelopment or urban renewal plan if it finds

that the plan is feasible and in conformity with the general plan for the development of the community as a whole. A redevelopment or urban renewal plan which has not been approved by the governing body when recommended by the authority may be recommended again to it with any modifications deemed advisable.

(10) A redevelopment or urban renewal plan may be modified at any time by the authority, provided that, if modified after the lease or sale of real property in the land clearance or urban renewal project area, the modification must be consented to by the redeveloper of the real property or his successor, or their successors in interest affected by the proposed modification. Where the proposed modification will substantially change the redevelopment or urban renewal plan as previously approved by the governing body, the modification must similarly be approved by the governing body.

2. As an alternative to the procedures prescribed in subdivisions (2) and (5) of subsection 1, an authority may find an area to be a blighted, insanitary or undeveloped area in need of redevelopment or rehabilitation, and simultaneously prepare a plan, or adopt a plan presented to the authority, and the authority may simultaneously recommend its finding of a blighted, insanitary or undeveloped area and the approval of a plan to the governing body of the community, and the governing body may make its finding that the area is blighted, insanitary or undeveloped and approve the plan simultaneously. Simultaneously with such recommendation of a finding of a blighted or insanitary or undeveloped industrial area and recommendation of a plan to the governing body for approval, an authority shall submit the finding of a blighted or insanitary or undeveloped area and the plan to the planning agency, if any, of the community in which the project area is located for review and recommendation as to the conformity of the plan to the general plan for the development of the community as a whole. The planning agency shall submit its written recommendations with respect to the finding of a blighted or insanitary or undeveloped industrial area and the plan to the authority and the local governing body within thirty days after receipt of the findings and the plan for review. Upon receipt of the recommendations of the planning agency, or, if no recommendations are received within the thirty days, then without the recommendations, the governing body may simultaneously approve the finding of a blighted or insantiary or undeveloped area and approve the plan in the manner prescribed in subdivisions (8) and (9) of subsection 1."; and

Further amend the title and enacting clause accordingly.

Senate Substitute Amendment No.1
for
Senate Amendment No. 40

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 61, Section 135.500, Lines 26-22 on page 62, by striking the complete sentence on said lines.

Senate Substitute Amendment No. 1
for
Senate Amendment No. 41

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 155, Section 26, Line 21 of said page, by inserting immediately after said line, the following:

"**Section 27. Any board, commission or other body, designated by a city or county to negotiate leases or development agreements regarding excursion gambling boat operations licensed pursuant to sections 313.800 to 313.850, RSMo, or such body that has been designated to make recommendations to the governing body of a city or county regarding activities licensed pursuant to sections 313.800 to 313.850, RSMo, may be subject to a background investigation by the Missouri gaming commission. The commission may report the results of its investigation to the governing body of the city or county.**

Section 28. No member of the general assembly or any person within the first degree of consanguinity of such member may be employed by an excursion gambling boat:

(1) While such member is in office; or

(2) Within one year after such member leaves office."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 42

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 98, Section 338.196, Line 12, by inserting after all of said line the following:

"370.366. 1. Upon compliance with any applicable laws of the United States and upon obtaining the approval of the directors of the division of finance and the division of credit unions within the department of economic development, any central credit union organized pursuant to section 370.365 may be converted under the laws of this state into a bank or trust company located in this state, or may be consolidated or merged with one or more banks or trust companies or central credit unions incorporated under the laws of the United States or any

state under the charter of a bank or trust company incorporated under the laws of this state; provided, however, that the central credit union and its members must comply with the procedure, notice and voting requirements of sections 370.351 to 370.357, and that the approval of the director of finance shall not be required for transactions not involving a bank or trust company. The name of the resulting or surviving bank or trust company in the case of conversion, consolidation or merger may be the name of a party to the conversion, consolidation or merger, provided that in no case shall the name contain the word "national" or "federal" or be the same as or deceptively similar to the name of any bank or trust company incorporated under the laws of this state which is engaged in business at the time of the particular conversion, consolidation or merger and is not a party thereto.

2. (1) In the case of conversion the majority of the board of directors of the central credit union shall proceed as is provided by law for other individuals incorporating a bank or trust company under the laws of this state except that the articles of agreement:

(a) May provide that instead of the capital stock having actually been paid up in money it is to be paid up in assets of the converting central credit union, the net value of which is equal to at least the full amount of the capital stock of the proposed resulting bank or trust company which capital stock shall be no less than that required by law for a bank or trust company, as the case may be, to be located in the state of Missouri;

(b) Shall provide that the proposed resulting bank or trust company is and shall be considered the same business and corporate entity as, and a continuation of the corporate entity and identity of, the converting central credit union although as to rights, powers and duties the proposed resulting institution is a bank or trust company incorporated under the laws of the state of Missouri;

(c) Shall set out the names and addresses of all persons who are to be officers of the proposed bank or trust company; and

(d) Shall set out the manner as provided in subdivision (1) of section 370.356 in which the ownership interest of the members shall be converted into stock of the resulting bank or trust company which stock ownership by the member or shareholder shall be lawful for this sole purpose; provided, however, that the director of finance may reject any such application upon a determination that the statutory treatment accorded the members of the converting central credit union is not fair and reasonable.

(2) If the director of finance, as the result of an examination and investigation made by the division of finance, is satisfied that such assets are of such value and that the character, responsibility and general fitness of the persons named in the articles of agreement are such as to command confidence and warrant belief that the business of the proposed corporation will be honestly and efficiently conducted in accordance with the purpose and intent of the laws of this state relative to banks or trust companies, the director of finance shall grant the charter. If the director of finance is not satisfied, the director of finance shall forthwith give notice thereof to the majority of the board of directors of the converting central credit union who shall have the same right of appeal as is provided by the laws of this state in the case of the proposed incorporators of a new bank or trust company.

(3) Upon the approval of the particular conversion being granted, the director of finance shall execute and deliver to the majority of the board of directors of the converting central credit union a certificate declaring that the bank or trust company therein named has been duly organized and is the institution resulting from the conversion of the central credit union into the resulting bank or trust company, and that the resulting bank or trust company is and shall be considered the same business and corporate entity as, and a continuation of the corporate entity and identify of, the converting central credit union. The certificate shall be recorded in the office of the recorder of deeds of the county or city in which the resulting bank or trust company is located and the certificate so recorded, or certified copies thereof, shall be taken in all the courts of this state as evidence of the conversion of the central credit union into the resulting bank or trust company and that the resulting bank or trust company is the same business and corporate entity as, and a continuation of the corporate entity and identity of, the converting central credit union.

(4) When the director of finance has given a certificate as aforesaid:

(a) The resulting bank or trust company and all its stockholders, directors, officers, and employees shall have the same powers and privileges and be subject to the same duties and liabilities in all respects as if such an institution had originally been organized as a bank or trust company under the laws of this state;

(b) All the rights, franchises, and interests of the converting central credit union in and to every type of property, real, personal and mixed, and choses in action thereto belonging shall be deemed to be transferred to and vest in the resulting bank or trust company without any deed or other transfer; and

(c) The resulting bank or trust company by virtue of the conversion and without any order of any court or otherwise shall hold and enjoy the same and all rights of property and interests including, but not limited to, appointments, designations and nominations and all other rights and interests, as trustee, personal representative, conservator, receiver, registrar, assignee and every other fiduciary capacity in the same manner and to the same extent as these rights and interests were held or enjoyed by the converting central credit union at the time of its conversion into the resulting bank or trust company; provided, however, that its corporate powers shall be limited to those granted to a bank or trust company under the laws of this state.

3. In the case of consolidation or merger, the same shall be consummated by each federally chartered central credit union complying with the laws of the United States relating to the consent of its members, by each state chartered central credit union complying with sections 370.351 to 370.357 relating to the consent of its members, and also by each bank or trust company complying with the provisions of the laws of this state relating to consolidation or merger of banks or trust companies, except that where the resulting institution is a bank rather than a trust company the number and qualifications of directors and any requirement that directors shall or may be divided into classes shall be determined as provided by law for banks. The rights of dissenting shareholders of the bank or trust company shall be determined as provided by the laws of this state in the case of consolidation or merger of banks or trust companies. The rights of dissenting shareholders of the central credit union shall be determined as provided by section 370.356. In the case of consolidation or merger the resulting bank or trust company shall be considered the same business and corporate entity as, and a continuation of the corporate entity and identity of, each central credit union and each bank or trust company which is a party to the consolidation or merger."; and

Further amend title and enacting clause accordingly.

Senate Amendment No. 43

Amend Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 73, Section 135.529, Line 13 of said page, by inserting immediately after said line the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be his federal adjusted gross income subject to the modifications in this section.

2. There shall be added to his federal adjusted gross income:

(a) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(b) Interest on certain governmental obligations excluded from federal gross income by section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (a) of subsection 3 of this section. The amount added under this paragraph shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars**;**

(c) Any expenditure made by a lobbyist to the extent the expenditure was deducted in arriving at federal adjusted gross income. The terms "expenditure" and "lobbyist" shall have the same meaning as defined in section 105.470, RSMo, and shall include expenditures made to "public officials" as defined in section 105.470;

(d) Any portion of dues paid by a member to a trade or professional association which are paid by such trade or professional association to a lobbyist.

3. There shall be subtracted from his federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(a) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes under the laws of the United States. The amount subtracted under this paragraph shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this paragraph. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining his federal adjusted gross income or included in his Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(b) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(c) The amount necessary to prevent the taxation under sections 143.011 to 143.996 of any annuity or other amount of income or gain which was properly included in income or gain and was taxed under the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(d) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(e) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(f) The portion of capital gain specified in subsection 3 of section 135.357, RSMo, that would otherwise be included in federal adjusted gross income.

4. There shall be added to or subtracted from his federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from his federal adjusted gross income the modifications provided in section 143.411."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

COMMITTEE REPORTS

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS HB 905, HB 979 and SCS HCS HB 999**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SB 722 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SS SCS SB 869 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

THIRD READING OF SENATE BILLS

SB 787, relating to veteran volunteer benefits, was taken up by Representative Montgomery.

On motion of Representative Montgomery, **SB 787** was truly agreed to and finally passed by the following vote:

AYES: 154

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Hand	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Neill	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Auer

PRESENT: 000

ABSENT WITH LEAVE: 007

Foley	Gunn	Monaco	Ribaudo	Thomason 163
Thompson 37	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Wiggins, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Tate moved that motion lay on the table.

The latter motion prevailed.

Representative Witt assumed the Chair.

SCS SB 719, **as amended, with House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, pending**, relating to public administrators, was again taken up by Representative Lakin.

On motion of Representative O'Toole, House Amendment No. 1 to House Amendment No. 3 was adopted by the following vote:

AYES: 083

Alter	Ballard	Barnett 4	Barry 100	Bartelsmeyer
Boatright	Bonner	Broach	Brown	Burton
Canuteson	Champion	Cierpiot	Clayton	Cooper
Davis	Donovan	Edwards-Pavia	Elliott	Enz
Farnen	Foley	Franklin	Garnett	Gaskill
Graham	Gratz	Green	Gross	Hall
Hand	Hartzler 123	Heckemeyer	Hegeman	Hickey
Hohulin	Howerton	Kissell	Koller	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Marble	May 108	McBride
Murphy	Murray 69	Naeger	O'Connor	O'Neill
O'Toole	Oetting	Overschmidt	Pouche	Prost
Pryor	Relford	Ridgeway	Robirds	Sallee
Schwab	Scott	Sears 1	Secrest	Shields
Sombart	Steen	Stoll	Summers	Surface
Thomason 163	Treadway	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Wooten		

NOES: 071

Akin	Auer	Backer	Bland	Boucher
Bray 84	Carter	Childers	Chrismer	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Days
Dougherty	Evans	Farmer	Fiebelman	Fitzwater
Ford	Foster	Froelker	Gibbons	Goward
Griesheimer 124	Gunn	Hagan-Harrell	Harlan	Hartzler
Hendrickson	Hoppe	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Klumb	Lakin	Lograsso
Lumpe	Marshall 133	Mays 50	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murray 135	Nordwald
Ostmann	Pauley	Reynolds	Ribaudo	Richardson
Rizzo	Ross	Scheve	Schilling	Shear 83
Sheldon 104	Shelton 57	Skaggs	Smith	Tate
Thompson 37	Troupe	Van Zandt	Williams 121	Williams 159

Mr. Speaker

PRESENT: 003

Bennett 15	Hosmer	Marshall 26

ABSENT WITH LEAVE: 005

Kelly 27	Kreider	Stokan	Ward	Witt

VACANCY: 001

House Amendment No. 3, as amended, was withdrawn.

On motion of Representative Lakin, **SCS SB 719, as amended,** was read the third time and passed by the following vote:

AYES: 137

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hand	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Keeven	Kelley 47
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Long
Luetkenhaus	Lumpe	Marble	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Van Zandt	Vogel	Wannenmacher
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 021

Broach	Cierpiot	Enz	Evans	Graham
Gross	Hall	Hartzler 124	Hendrickson	Hohulin
Kauffman	Linton	Lograsso	Loudon	Marshall 133
O'Neill	Ross	Shields	Sombart	Treadway

Wieland

PRESENT: 001

Troupe

ABSENT WITH LEAVE: 003

Kelly 27	Thompson 37	Ward

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Ribaudo moved that the vote by which the bill passed be reconsidered.

Representative Reynolds moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

SB 500, relating to tax refund implementation, was taken up by Representative Lumpe.

Representative Akin offered House Amendment No. 1.

House Amendment No. 1

AMEND Senate Bill No. 500, page 1, section 136.400, line 5, by inserting after the word "**refunded**" the following:

"**and certify annually to the general assembly an itemized list and definition of all sources and dollar amounts of total state revenue. Once a source of revenue has been certified as total state revenue by the office of administration, such source shall remain total state revenue in subsequent years unless the source in subsequently excluded from total state revenue pursuant to Article X, section 18 (c) of the Missouri constitution. The amount of excess revenue to be refunded is subject to appeal according to Article X, section 23 of the Missouri constitution**".

On motion of Representative Akin, House Amendment No. 1 was adopted.

On motion of Representative Lumpe, **SB 500, as amended,** was read the third time and passed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Hand
Harlan	Hartzler 123	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Hartzler 124	O'Neill	Ribaudo	Thompson 37	Ward

Witt

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Farmer, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Franklin moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Rizzo moved that the House refuse to adopt **SS SCS HS HCS HB 1237, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Witt resumed the Chair.

THIRD READING OF SENATE BILLS

HCS SB 634, relating to legal notices, was taken up by Representative Smith.

Representative Stoll offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Bill 634, page 2, section 493.050, lines 20 through 44, by deleting said section, and by inserting in lieu thereof the following:

493.050. **1. Except as provided in subsection 2 of this section,** all public advertisements and orders of publication required by law to be made and all legal publications affecting the title to real estate, shall be published in some daily, triweekly, semiweekly or weekly newspaper of general circulation in the county where located and which shall have been admitted to the post office as second class matter in the city of publication; shall have been published regularly and consecutively for a period of three years; shall have a list of bona fide subscribers voluntarily engaged as such, who have paid or agreed to pay a stated price for a subscription for a definite period of time; provided, that when a public notice, required by law, to be published once a week for a given number of weeks, shall be published in a daily, triweekly, semiweekly or weekly newspaper, the notice shall appear once a week, on the same day of each week, and further provided, that every affidavit to proof of publication shall state that the newspaper in which such notice was published has complied with the provisions of this [section] **subsection**; provided further, that the duration of consecutive publication [herein] provided for **in this subsection** shall not affect newspapers which have become legal publications prior to the effective date of this section; provided, however, that when any newspaper shall be forced to suspend publication in any time of war, due to the owner or publisher being inducted into the armed forces of the United States, the [same] **newspaper** may be reinstated within one year after actual hostilities [shall] have ceased, with all the benefits [under] **provided pursuant to** the provisions of this [section] **subsection**, upon the filing with the secretary of state of notice of intention of [said] **such** owner or publisher, [his widow] **the owner's surviving spouse** or legal heirs, to republish [said] **such** newspaper, setting forth the name of the publication, its volume and number, its frequency of publication, and its readmission to the post office where it was previously entered as second class mail matter, and when it shall have a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for subscription for a definite period of time. [All laws or parts of laws in conflict with this section except sections 493.070 to 493.120, are hereby repealed.]

2. Notwithstanding the provisions of subsection 1 of this section to the contrary, in any county of the first classification with a population in excess of one hundred seventy thousand and less than two hundred thousand which does not have a daily newspaper published within such county with a bona fide list of subscribers, located in such county, comprising at least two percent of the population, all public advertisements and orders of publication required by law to be made and all legal publications affecting the title to real estate in such county, shall be published in some daily, triweekly, semiweekly or weekly newspaper of general circulation in such county. The newspaper shall have been published regularly and consecutively for a period of two years; shall have a known office of publication in such county, open to the public, where the business or publication of the newspaper is transacted during the usual business hours; shall bear a fixed title or name, date lines and numbered volume sequence; shall be published and printed in an accepted newspaper format, generally in sheet form, standard size or tabloid size; and shall contain an average of twenty-five percent news and editorial content in its issues during any twelve month period. The term "news and editorial content" for the purpose of this section means any news, pictures, features, editorials and other matters of general interest, but shall not include advertisements, classified or display. Percentages shall be determined on the basis of the number of columns and inches published in each edition. When a public notice, required by law, to be published once a week for a given number of weeks, shall be published in a daily, triweekly, semiweekly or weekly newspaper, the notice shall appear once a week, on the same day of each week, and further provided, that every affidavit for proof of publication shall state that the newspaper in which such notice was published has complied with the provisions of this subsection."

Representative Kreider offered House Amendment No. 1 to House Amendment No. 1.

House Amendment No. 1
to
House Amendment No. 1

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill 634, Page 1, Section 493.050, Line 8 of said section, by deleting the word "three" on said line and replacing with "[three] **two**"

Representative Smith raised a point of order that House Amendment No. 1 to House Amendment No. 1 goes beyond the scope of the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Kreider, House Amendment No. 1 to House Amendment No. 1 was adopted by the following vote:

AYES: 097

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Bartelsmeyer	Bennett 15	Boucher	Bray 84
Broach	Brown	Burton	Carter	Chrismer
Cierpiot	Cooper	Copeland	Crump 152	Daniels 41
Davis	Donovan	Edwards-Pavia	Elliott	Enz
Fitzwater	Foley	Ford	Foster	Franklin
Garnett	Goward	Graham	Gratz	Green
Gross	Hand	Hartzler 123	Hartzler 124	Hendrickson
Hickey	Hohulin	Hoppe	Howerton	Jacob
Kasten	Kauffman	Kelley 47	Kissell	Koller
Kreider	Lakin	Leake	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Marble
Marshall 26	McBride	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	O'Connor
O'Toole	Ostmann	Overschmidt	Pauley	Pouche
Prost	Ross	Sallee	Scheve	Schwab
Secrest	Sheldon 104	Shields	Steen	Stokan
Stoll	Surface	Treadway	Troupe	Van Zandt
Vogel	Whiteside	Wieland	Wiggins	Williams 159
Witt	Wooten			

NOES: 057

Barry 100	Bland	Boatright	Bonner	Canuteson
Champion	Childers	Clayton	Crum 112	Daniel 42
Days	Dougherty	Evans	Farmer	Farnen
Fiebelman	Froelker	Gaskill	Gibbons	Griesheimer
Gunn	Hagan-Harrell	Harlan	Heckemeyer	Hegeman
Hosmer	Klumb	Legan	Lograsso	Lumpe
Marshall 133	May 108	Mays 50	McClelland	McLuckie
Nordwald	Oetting	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Schilling
Scott	Sears 1	Shear 83	Shelton 57	Skaggs
Smith	Sombart	Summers	Tate	Thomason 163
Wannenmacher	Williams 121			

PRESENT: 000

ABSENT WITH LEAVE: 008

Hall	Keeven	Kelly 27	O'Neill	Ribaudo
Thompson 37	Ward	Mr. Speaker		

VACANCY: 001

Representative McClelland offered House Amendment No. 2 to House Amendment No. 1.

House Amendment No. 2

to

House Amendment No. 1

AMEND House Amendment No. 1 toHouse Committee Substitute for Senate Bill No. 634, page 2, section

493.050, subsection 2, line 4, by inserting after the words "one thousand" the words "or a first class charter county with a population of 900,000 or more."

HCS SB 634, with House Amendment No. 2 to House Amendment No. 1, as amended and House Amendment 1, as amended, pending, was placed on the Informal Calendar.

SB 805, relating to minority scholarships in environmental study, was taken up by Representative Bland.

Representative Bland offered **HS SB 805.**

Representative Lograsso raised a point of order that the House is not on the proper bill, in that Representative Smith did not have the floor at the time that he placed **HCS SB 634, with House Amendment No. 2 to House Amendment No. 1, and House Amendment No. 1, as amended, pending,** on the Informal Calendar.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

HCS SB 634, with House Amendment No. 2 to House Amendment No. 1, and House Amendment No. 1, as amended, **pending,** was laid over.

SB 805, with HS, as amended, pending, relating to minority scholarships in environmental study, was again taken up by Representative Bland.

Representative Bland offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute to Senate Bill No. 805, page 3, section 640.240, line 14, by deleting after the word "colleges" the following:

"made up of one representative from the University of Missouri system, one representative from Lincoln University, and one representative from Harris Stowe University"

Representative Green assumed the Chair.

Representative Shields offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1

for

House Amendment No. 1

AMEND House Substitute to Senate Bill No. 805, page 3, section 640.240, line 14, by deleting after the word "colleges" the following:

"made up of one representative from the University of Missouri system, one representative from Lincoln University, and one representative from Harris Stowe University"; and

Further amend said bill, same section, line 17, by adding after the word "university" the words "and college"

On motion of Representative Shields, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted.

Representative Shields offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for Senate Bill No. 805, Page 2, Section 640.240, Line 22 of said page, by inserting after all of said line the following:

"**6. Any student receiving a scholarship pursuant to this section must work for the department of natural resources or another state agency providing environmentally related services for at least two years immediately following completion of the course of study. Any student that fails to accept such employment within six months of completion of the course of study or fails to work the required two years shall repay the prorated scholarship amount. Any repayments pursuant to this subsection shall be deposited in the recruitment and retention scholarship subaccount. If no position is available within six months of the completion of the course of study, the provisions of this subsection shall not apply.**"; and

Further amend said bill, Page 2, Section 640.240, Line 23 of said page, by deleting the number "**6.**" and inserting in lieu thereof the number "**7.**"; and

Further amend said bill, Page 3, Section 640.240, Line 8 of said page, by deleting the number "**7.**" and inserting in lieu thereof the number "**8.**"; and

Further amend said bill, Page 3, Section 640.240, Line 27 of said page, by deleting the number "**8.**" and inserting in lieu thereof the number "**9.**"; and

Further amend said bill, Page 4, Section 640.240, Line 5 of said page, by deleting the number "**9.**" and inserting in lieu thereof the number "**10.**".

Representative Gunn raised a point of order that House Amendment No. 2 is not germane to the bill.

Representative Green requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Jacob offered House Substitute Amendment No. 1 for House Amendment No. 2.

House Substitute Amendment No. 1 for House Amendment No. 2 was withdrawn.

Representative Shields moved that House Amendment No. 2 be adopted.

Which motion was defeated.

SB 805, with HS, as amended, pending, was laid over.

CONFERENCE COMMITTEE REPORT
FOR SENATE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILLS NOS. 1207, 1288, 1408 & 1409

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills 1207, 1288, 1408 and 1409, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, as amended.

2. That the House recede from its position on House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409.

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1207, 1288, 1408 and 1409, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Phil Tate	/s/ Sidney Johnson
/s/ Sam Leake	/s/ Jim Mathewson
/s/ Gary Wiggins	/s/ Mike Lybyer
/s/ Dale Whiteside	/s/ Larry Rohrbach
/s/ Ken Legan	/s/ Morris Westfall

REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

HCS SS SS SB 488 - Budget (Fiscal Note)

ADJOURNMENT

On motion of Representative Crump, the House adjourned until 10:00 a.m., Thursday, May 16, 1996.

CORRECTIONS

Correct House Journal, Seventy-Fourth Day, Tuesday, May 14, 1996, page 15, by deleting line 3 and inserting in lieu thereof the following, "Part II".

Page 28, line 13, by inserting a bracket "[" before the word "more" and inserting a bracket "]" after the word "but"

Page 3, lines 18 and 19, by deleting the words "therapists assistants", and inserting in lieu thereof the words "animal feeding operations".

Page 4, roll call, by showing Representatives Farmer and Kelly (27) voting "aye" rather than "absent with leave".

Page 5, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Page 6, roll call, by showing Representative Farmer voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representatives Kelly (27) and Scheve voting "aye" rather than "absent with leave".

Pages 12 and 13, roll call, by showing Representative Bartelsmeyer voting "no" rather than "absent with leave".

Pages 13 and 14, roll call, by showing Representatives Kelly (27) and Donovan voting "aye" rather than "absent with leave".

Page 15, roll call, by showing Representative Edwards-Pavia voting "aye" rather than "absent with leave".

Page 16, roll call, by showing Representative Shields voting "aye" rather than "absent with leave".

Pages 19 and 20, roll call, by showing Representative Gratz voting "no" rather than "absent with leave".

Pages 21 and 22, roll call, by showing Representative Smith voting "aye" rather than "absent with leave".

Pages 25 and 26, roll call, by showing Representative Foster voting "aye" rather than "absent with leave".

Pages 29 and 30, roll call, by showing Representative Luetkenhaus voting "no" rather than "absent with leave".

Pages 34 and 35, roll call, by showing Representative Barry voting "aye" rather than "absent with leave".

Page 39, roll call, by showing Representative Davis voting "aye" rather than "absent with leave".

COMMITTEE MEETINGS

BUDGET

Thursday, May 16, 1996, 9:00 am. Hearing Room 9. Executive session. Amended Notice

To be considered - SB 781, SB 488

HOUSE CALENDAR

SEVENTY-SIXTH DAY, THURSDAY, MAY 16, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling

37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer
44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

HCS SS SS SB 488, (Budget Fiscal 5-15-96) - Dougherty

HCS SS SCS SB 722 - Hosmer

HCS SS SCS SB 869 - Witt

HCS SB 634, HA 2 to HA 1, HA 1, as amended, pending - Smith

SB 805 - Bland

HCS SCS SB 708 - Rizzo

SB 781, HCA 1 (Budget Fiscal 5-15-9) - Carter

SB 489 - Carter

SB 768 - Klumb

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

HCS SB 904, Part I,as amended, adopted - Wiggins

HOUSE BILL WITH SENATE AMENDMENTS

SS#2 HB 809, E.C., as amended - Tate

BILL CARRYING REQUEST MESSAGES

SS SCS HS HCS HB 1237, as amended, req. Senate recede or grant house conference - Rizzo

BILLS IN CONFERENCE

1 SB 858, as amended - Carter
2 CCR HCS HB 781, as amended - Stokan
3 CCR SCS HS HCS HB 1301 & 1298, as amended, E.C. - McLuckie
4 SB 664, as amended - Hartzler (123)
5 CCR SCS HS HB 1368, as amended - May (108)
6 CCR SS SCS HS HCS HB 1207, 1288, 1408 & 1409, as amended, E.C. - Tate
7 CCR HB 1098, as amended - Goward
8 HCS SS SCS SB 723 & 891, as amended, E.C. - Rizzo
9 HS SB 757, as amended - Sears (1)
10 CCR#2 HCS HB 991, as amended - Koller
11 HS HCS SB 888, as amended, E.C.(req. conferees to be allowed to exceedcob
differences) - Jacob

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HCR 14, (5-15-96) - Dougherty

SENATE CONCURRENT RESOLUTIONS

SCR 28, (5-1-96 pgs 9 & 10) -

SCR 29, (5-15-96) -

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SEVENTY-SIXTH DAY, Thursday, May 16, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Reverend Cheryl L. Tatham.

The minutes and hours tick along on a clock that, in its history, has been fast and slow and sometimes still. These last two days of session exert a pressure to complete, to finalize, to culminate all the busyness of the past five months. As the actions of this body become a part of this state's history, reassure us, O God of all that is, was, or ever shall be, in the knowledge that we have done our best. Perhaps things have been said or done that were harmful - forgive us. Perhaps things have been said or done that resulted in injustice - forgive us. Among ALL that has been done, we know that good and just actions have been taken - bless what we have accomplished for the common good.

And now, as these representatives see light at the end of the tunnel, as they begin to gather up papers and personal items to make long trips back to friends and family, bless them in their efforts. Bless them as they reflect on and consider their actions and their relationships with one another during this session - Republican or Democrat - because we know, O Lord, that in your sight there are no party affiliations. We thank you, God, for your never- failing, unconditional love. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jene' Hodges, Amber Perez, Steven Thompson, Daniel Scannell, Sherease Stewart, Shemika McGee, Shana Lasley, Shanay Gregory, Josh Gozdecki, Erin Drayton, Helen Swearson, Mike Wolff, Megan Gross, Stephanie Smith, Brett Wise and Lucas E. Sells.

The Journal of the seventy-fifth day was approved as corrected.

RESOLUTIONS

Representative Kasten offered House Resolution Nos. 1324 through 1326, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Treadway and Barry offered House Resolution No. 1327, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Stokan offered House Resolution No. 1328, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hagan-Harrell offered House Resolution No. 1329, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Brown offered House Resolution Nos. 1330 and 1331, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Green offered House Resolution No. 1332, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Garnett offered House Resolution No. 1333, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Montgomery offered House Resolution Nos. 1334 through 1336, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Froelker offered House Resolution No. 1337, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Cierpiot offered House Resolution Nos. 1338 through 1350, which were referred to the Committee on Miscellaneous Bills and Resolutions.

HOUSE BILL WITH SENATE AMENDMENT

SS #2 HB 809, as amended, relating to emergency personnel, was taken up by Representative Shields.

Representative Shields moved that the House refuse to adopt **SS # 2 HB 809, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CCR SCS HS HB 1368, as amended, relating to unemployment compensation, was taken up by Representative May (108).

On motion of Representative May (108), **CCR SCS HS HB 1368, as amended**, was adopted by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Foley	Goward	Hand	Scott	Thompson 37
Williams 121				

VACANCY: 001

On motion of Representative May (108), **SCS HS HB 1368, as amended by the CCR,** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Gunn	Hagan-Harrell	Hall	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Ribaudo	Richardson	Ridgeway
Rizzo	Ross	Sallee	Scheve	Schilling
Schwab	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Brown	Crump 152	Days	Foley	Goward
Hand	Linton	Reynolds	Robirds	Scott
Shields	Troupe	Van Zandt	Williams 121	

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Dougherty moved that the vote by which the bill passed be reconsidered.

Representative Farmer moved that motion lay on the table.

The latter motion prevailed.

CCR SS SCS HS HCS HBs 1207, 1288, 1408 and 1409, as amended, relating to concentrated animal feed operations, was taken up by Representative Tate.

On motion of Representative Tate, **CCR SS SCS HS HCS HBs 1207, 1288, 1408 and 1409, as amended,** was adopted by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Gaskill	Gibbons
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 124	Hall	Harlan	Hartzler 123	Hartzler
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Nordwald
O'Connor	O'Neill	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 011

Ballard	Elliott	Froelker	Garnett	Graham
Hosmer	Keeven	Naeger	Richardson	Sallee

Schwab

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown	Goward	Hand	Kelly 27	Loudon

Ward

VACANCY: 001

On motion of Representative Tate, **CCS SS SCS HS HCS HBs 1207, 1288, 1408 and 1409,** was read the third time and passed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Barnett 4
Barry 100	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Gaskill	Gibbons
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell 124	Hall	Harlan	Hartzler 123	Hartzler
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Nordwald	O'Connor	O'Neill	O'Toole

Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schilling	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 009

Ballard	Edwards-Pavia	Elliott	Garnett	Graham
Hosmer	Naeger	Sallee	Schwab	

PRESENT: 000

ABSENT WITH LEAVE: 005

Bartelsmeyer	Goward	Hand	Kelly 27	Ward

VACANCY: 001

The emergency clause was adopted by the following vote:

AYES: 134

Alter	Auer	Backer	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Bland	Boatright	Boucher
Bray 84	Broach	Brown	Burton	Canuteson
Carter	Childers	Chrismer	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Gaskill	Gibbons	Gratz	Green	Griesheimer
Gunn	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Long	Luetkenhaus	Lumpe
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schilling	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Wiggins
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 020

Akin	Ballard	Champion	Cierpiot	Edwards-Pavia
Elliott	Garnett	Graham	Gross	Hohulin
Hosmer	Lograsso	Loudon	Marble	Naeger
O'Neill	Sallee	Schwab	Steen	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 008

Bonner	Goward	Hand	Kelly 27	Relford
Ward	Whiteside	Williams 121		

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Kreider, title to the bill was agreed to.

Representative Kissell moved that the vote by which the bill passed be reconsidered.

Representative Lakin moved that motion lay on the table.

The latter motion prevailed.

The Speaker assumed the Chair.

CCR HCS HB 781, as amended, relating to Alzheimer's care disclosure, was taken up by Representative Stokan.

On motion of Representative Stokan, **CCR HCS HB 781, as amended,** was adopted by the following vote:

AYES: 101

Auer	Backer	Barry 100	Bennett 15	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Childers	Chrismer	Clayton
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Enz	Farmer
Farnen	Fitzwater	Foley	Ford	Franklin
Gibbons	Green	Gross	Gunn	Hagan-Harrell
Harlan	Hartzler 124	Hendrickson	Hickey	Hoppe
Hosmer	Jacob	Kauffman	Keeven	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Levin	Linton	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Morgan	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Neill	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Prost	Relford
Reynolds	Ribaudo	Rizzo	Ross	Scheve
Schilling	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Sombart	Stokan	Stoll	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 054

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Boatright	Champion	Cierpiot	Cooper	Copeland
Edwards-Pavia	Elliott	Evans	Fiebelman	Foster
Froelker	Gaskill	Graham	Gratz	Griesheimer
Hall	Hartzler 123	Heckemeyer	Hegeman	Hohulin
Howerton	Kasten	Kelley 47	Legan	Liese
Lograsso	Long	Loudon	Marble	Marshall 133
Montgomery	Murray 135	Pouche	Pryor	Richardson
Ridgeway	Robirds	Sallee	Schwab	Scott
Secrest	Shields	Smith	Steen	Summers
Surface	Vogel	Wannenmacher	Wooten	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Garnett	Goward	Hand	Leake
Thompson 37	Ward			

VACANCY: 001

On motion of Representative Stokan, **CCS HCS HB 781** was read the third time and passed by the following vote:

AYES: 122

Akin	Auer	Backer	Barry 100	Bennett 15

Bland	Boatright	Bonner	Boucher	Bray 84
Broach	Brown	Burton	Canuteson	Carter
Childers	Chrismer	Cierpiot	Clayton	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Enz	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gaskill	Gibbons	Graham
Green	Griesheimer	Gross	Gunn	Hagan-Harrell
Hall	Harlan	Hartzler 124	Heckemeyer	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Legan
Levin	Linton	Long	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Morgan	Murphy	Murray 69
Naeger	Nordwald	O'Connor	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Ross	Scheve	Schilling
Schwab	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Sombart	Stokan	Stoll	Surface
Tate	Thomason 163	Treadway	Troupe	Vogel
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 032

Alter	Ballard	Barnett 4	Bartelsmeyer	Champion
Cooper	Copeland	Edwards-Pavia	Elliott	Evans
Gratz	Hartzler 123	Hegeman	Hohulin	Liese
Lograsso	Loudon	Marble	Marshall 133	Montgomery
Murray 135	Pouche	Robirds	Sallee	Scott
Secrest	Shields	Smith	Steen	Summers
Wannenmacher	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 008

Garnett	Goward	Hand	Kelly 27	Leake
Thompson 37	Van Zandt	Ward		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Green, title to the bill was agreed to.

Representative Gunn moved that the vote by which the bill passed be reconsidered.

Representative Harlan moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 10.**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has adopted **SCA 1 to HCR 13** and has taken up and adopted **HCR 13, as amended, by SCA 1**.

Senate Committee Amendment No. 1

Amend House Concurrent Resolution No. 13, Page 994, Senate Journal for May 7, 1996, Column 2, Lines 21-26 of such page, by striking all of said lines and inserting in lieu thereof the following: "**Assembly, the Senate concurring therein, that a joint interim committee on the operation of the Metropolitan Sewer District be created to be composed of five members of the House, to be appointed by the Speaker of the House, and five members of the Senate, to be appointed by the President Pro Tem of the Senate, not more than three members from each house shall be residents of St. Louis County and not more than three members from each house shall**

be members of the same political party. Said committee shall".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HS HCS HB 1237, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Maxwell, Lybyer, Wiggins, Melton and Flotron.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SB 661** and has taken up and passed **SB 661, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SB 719** and has again taken up and passed **SB 719, as amended** by **HCA 1**, but refuses to adopt **HA 1** and **HA 2 to SB 719** and requests the House to recede from its position, or failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 858, as amended**, and has taken up and passed **SB 858**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 and HA 1 to SB 876** and has taken up and passed **SB 876, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS HCS SCS SB 884 and 841, as amended** and has taken up and passed **HS HCS SCS SB 884 and 841, as amended**.

MOTION

Representative Lakin moved that the House refuse to recede from its position on **House Amendment No. 1 and House Amendment No. 2 to SB 719, as amended,** and request the Senate to concure in **House Amendment No. 1 and House Amendment No. 2 to SB 719, as amended**, and take up and pass **SB 719, as amended**.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SS SCS HS HCS HB 1237: Representatives Rizzo, Scheve, Thomason (163),/B>.

Cooper and Wannenmacher

HS HCS SB 888: Representatives Jacob, Murray (69), Klumb, Chrismer and/B>.

Scott.

Seventy-sixth Day-Thursday, May 16, 1996

HOUSE RESOLUTION

Representatives Gaw, Daniels, Backer and Richardson, joined by the entire House Membership, offered House Resolution No. 1323, which was read.

House Resolution No. 1323

Whereas, Douglas W. Burnett is leaving his position as Chief Clerk of the Missouri House of Representatives in order to assume his new responsibilities with the Missouri State Tax Commission; and

Whereas, Doug began working for the House of Representatives on September 20, 1970, and served as Postmaster and Director of Accounting before being promoted to Chief Clerk in 1981; and

Whereas, Doug Burnett has played a major role in promoting the efficient and effective operation of this body and has become well-known for his business-like operation of the House's purchasing and accounting procedures and member expenditures which have continually received the most favorable reports possible from the State Auditor over the years, and for his leadership in overseeing the House Budget for sixteen years with funding amounting to millions of dollars; and

Whereas, Doug Burnett's tenure as Chief Clerk has been marked by such major accomplishments as the establishment of procedures to ensure the technical correctness of bills and conference reports, the successful fight to acquire space in the Capitol for members to have private offices, an increase in the number of hearing rooms, the installation of the message board in the House Chamber, the expansion of House computer services, the acquisition of the northwest parking garage for members, secretaries, and staff, and the total renovation of the House Chamber including the installation of a new public address system:

Now, therefore, be it resolved that we, the members of the Missouri House of Representatives, Eighty-eighth General Assembly, hereby join unanimously in expressing our most sincere gratitude to Doug Burnett for his unparalleled dedication and leadership which will continue to have a positive impact on this legislative body for many years to come, and further extend to him our very best wishes for continued success in all his future endeavors; and

Be it further resolved that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for outgoing Chief Clerk Douglas W. Burnett, as a measure of our esteem for him.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 1323 was adopted by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Neill	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Garnett	Goward	Hand	Leake	May 108
O'Connor	Thompson 37	Ward	Whiteside	

VACANCY: 001

On motion of Representative Backer, the House recessed until 2:00 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: LaShawna Evans, Suzie Alger, Jason Kern, Jillian Brinkman, Chris Smith, Zachary Towers, Mark Ritchie, Ted Hemmersmeier, Mark Riley and Jimmy Childress.

RESOLUTIONS

Representative Schilling offered House Resolution No. 1354, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution Nos. 1355 and 1356, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Bonner offered House Resolution No. 1357, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution Nos. 1358 through 1361, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution No. 1361, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 1362, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 1363, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution Nos. 1364 through 1382, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1383, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1384, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1385, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORTS

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HCS SS SS SB 488 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

Mr. Speaker: Your Committee on Budget, to which was referred **SB 781 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

CONFERENCE COMMITTEE REPORT
FOR SENATE BILL NO. 858
WITH HOUSE AMENDMENT NO. 1
AND PART I OF HOUSE AMENDMENT NO. 2, AS AMENDED

Mr. Speaker: Your Conference committee, appointed to confer with a like committee of the House, on Senate Bill No. 858, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 858, with House Amendment No. 1 and Part I of House Amendment No. 2, as amended;

2. That Senate Bill No. 858 be truly agreed and finally passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Paula J. Carter	/s/ J. B. "Jet" Banks
/s/ Henry C. Rizzo	/s/ Harry Wiggins
/s/ Craig Hosmer	/s/ Marvin Singleton
/s/ Dale Whiteside	/s/ Joe Moseley
/s/ Sandra Kauffman	/s/ Betty Sims

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 to SB 500** and has taken up and passed **SB 500, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS #2 for HB 809, as amended** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HS HCS HBs 1207, 1288, 1408 and 1409, as amended**, and has taken up and passed **CCS SS SCS HS HCS HBs 1207, 1288, 1408 and 1409**.

Emergency Clause Adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HB 1368, as amended**, and has taken up and passed **SCS HS HB 1368 as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 572, as amended**, and requests that the House recede from its position or, failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS #2 HB 809, as amended**: Senators Johnson, Quick, McKenna, Singleton and Melton.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 and 1250**, entitled:

An act to repeal sections 188.025 and 188.080, RSMo 1994, relating to abortions, and to enact in lieu thereof seven new sections relating to the same subject, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

HOUSE BILL WITH SENATE AMENDMENTS

HCR 13, with Senate Committee Amendment No. 1, relating to St. Louis Sewer District, was taken up by Representative Carter.

On motion of Representative Carter, the House concurred in Senate Committee Amendment No. 1.

On motion of Representative Carter, **HCR 13, as amended,** was adopted.

BILLS IN CONFERENCE

CCR #2 HCS HB 991, as amended, relating to motor carriers, was taken up by Representative Koller.

Representative Koller moved that the House refuse to adopt **CCR #2 HCS HB 991, as amended,** and request the Senate to grant a further conference with the conferees being allowed to exceed the differences on **Senate Amendment No. 7.**

Which motion was adopted.

Representative Witt assumed the Chair.

CCR SB 858, as amended, relating to HIV-Aids, was taken up by Representative Carter.

On motion of Representative Carter, **CCR SB 858, as amended,** was adopted by the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Froelker	Garnett	Gaskill
Gibbons	Graham	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hartzler 123	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco

Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Burton	Crump 152	Daniel 42	Franklin	Goward
Gratz	Hand	Harlan	Hartzler 124	Hohulin
Klumb	O'Neill	Pauley	Prost	Shear 83
Surface	Thompson 37	Ward	Wiggins	

VACANCY: 001

On motion of Representative Carter, **SB 858** was truly agreed to and finally passed by the following vote:

Seventy-sixth Day-Thursday, May 16, 1996

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Canuteson	Carter	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Harlan	Hartzler 123
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Burton	Champion	Daniel 42	Dougherty	Goward
Gratz	Hand	Hartzler 124	Murphy	O'Neill
Pauley	Robirds	Shear 83	Thompson 37	Ward

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Stoll, title to the bill was agreed to.

Representative Smith moved that the vote by which the bill passed be reconsidered.

Representative Schilling moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Morgan moved that the House refuse to recede from its position on **HCS SB 572, as amended,** and grant the Senate a conference.

Which motion was adopted.

The Speaker resumed the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

HCS SB 572: Representatives Morgan, Franklin, Stoll, McClelland andthe Bartelsmeyer

SS HB 809: Representatives Shields, Tate, Lakin, Barry and Naeger

THIRD READING OF SENATE BILLS

HCS SS SCS SB 722, relating to zero tolerance, was taken up by Representative Hosmer.

Representative Hosmer offered **HS HCS SS SCS SB 722**.

Representative Hosmer offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, page 40, section 302.505, line 14 of said page, by inserting immediately after the word "**a**" the word "**state,**"; and

Further amend said bill, page 40, section 302.505, line 15, of said page, by deleting the words "**alcohol related**".

On motion of Representative Hosmer, House Amendment No. 1 was adopted.

Representative May (108) offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, page 60, section 479.500, lines 3-4, by striking "one traffic judge" and replacing with the following: "[one traffic judge] **two traffic judges**"; and

Further amend said bill, page 60, section 479.500, line 22, by inserting after the word "circuit" the following: "**and associate circuit**"; and

Further amend said bill, page 63, section 479.500, line 4, by striking "one commissioner" and replacing with: [one commissioner] **two commissioners**

On motion of Representative May (108), House Amendment No. 2 was adopted.

Representative Smith offered House Amendment No. 3.

House Amendment No. 3

Amend House Committee Substitute for House Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No.722, Page 12, section 302.010, line 22 of said page, by striking the words "court approval" and inserting in lieu thereof the words "**judicial review**"; and

Further amend said bill, page 29, section 302.304, lines 14-22, by striking all of said lines; and further on page 30, line 1 of said page, by striking all of said line and inserting in lieu thereof the following: "**or upon good cause shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the**

likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court."; and

Further amend said bill, page 51, section 302.540, lines 2-13 of said page, by striking all of said lines and inserting in lieu thereof the following: "**or upon good cause shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.**"; and

Further amend said bill, page 64, section 577.001, line 18 of said page, by striking the words "court approval" and inserting in lieu thereof the words "**judicial review**"; and

Further amend said bill, page 75, section 577.041, lines 3-14 of said page, by striking all of said lines and inserting in lieu thereof the following: "**shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.**"

On motion of Representative Smith, House Amendment No. 3 was adopted.

Representative Williams (121) offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 21, Section 302.302, Line 5 from the top of said page, by inserting immediately after the word "**offenses**" the following: "**however combined**"; and

Further amend said bill, Page 31, Section 302.309, Lines 5 through 6 from the top of said page, by deleting the following: "judges.] **or the application**" and inserting in lieu thereof the following: "judges]. **Any application**; and

Further amend said bill, Page 33, Section 302.309, Line 16 from the top of said page, by deleting immediately after the word "director" the bracket "["; and

Further amend said bill, Page 33, Section 302.309, Line 17 from the top of said page, by deleting the words "him whenever he" and inserting in lieu thereof the following: "[him] **the driver** whenever [he] **such driver**"; and

Further amend said bill, Page 33, Section 302.309, Line 18 from the top of said page, by deleting the following: "operates]**.**" and inserting in lieu thereof the following: "operates **a motor vehicle.**"; and

Further amend said bill, Page 33, Section 302.309, Line 18 from the top of said page, by inserting immediately after the word "**revenue**" the following: "**upon granting a limited driving privilege**"; and

Further amend said bill, Page 34, Section 302.309, Line 15 from the top of said page, by deleting the following: "**or who meets the following criteria**".

On motion of Representative Williams (121), House Amendment No. 4 was adopted.

Representative Bennett offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, page 82, section 1, line 17, by inserting after said line the following:

"**Section 2. Notwithstanding any other provision of law to the contrary, no court other than a circuit court or associate circuit court shall have jurisdiction to hear any case arising out of an alleged violation of section 577.010 or 577.012, RSMo, or the alleged violation of a state law, or county or municipal ordinance related to driving while intoxicated. The provisions of this section shall not apply to any alleged violation occurring in a city having a population in excess of one hundred thousand.**".

Representative Bennett moved that House Amendment No. 5 be adopted.

Which motion was defeated.

Representative Williams (121) offered House Amendment No. 6.

House Amendment No. 6

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, page 40, section 302.505, line 10, of said page, by striking the words "reasonable suspicion" and inserting in lieu thereof the words "**probable cause**"; and further amend line 14 of said page, by striking the words "reasonable suspicion" and inserting in lieu thereof the words "**probable cause**"; and

Further amend said bill, page 63, section 577.001, line 17 of said page, by striking "or being in actual physical control of"; and

Further amend said bill, page 71, section 577.039, line 4 of said page, by inserting immediately after "any" the following: "**] and when**"; and further amend said line, by striking the words "must be" and inserting in lieu thereof the word "**is**"; and further amend line 5 of said page, by striking the closing bracket "]" and inserting in lieu thereof the following: "**, unless the person to be arrested has left the scene of an accident or has been removed from the scene to receive medical treatment, in which case such arrest without warrant may be made more than one and one-half hours after such violation occurred**".

On motion of Representative Williams (121), House Amendment No. 6 was adopted.

Representative Lograsso offered House Amendment No. 7.

Representative Hosmer requested a division of the question.

Part I of House Amendment No. 7 was withdrawn.

Part II of House Amendment No. 7 was withdrawn.

Representative Hohulin offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Bill 722, page 68, section 577.021, line 9, by inserting immediately after said line the following:

577.023. 1. (1) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance, where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing;

(2) A "persistent offender" is a person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses, where such two or more offenses occurred within ten years of the occurrence of the intoxication-related traffic offense for which the person is charged; and

(3) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class [A misdemeanor] **D felony**.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. No court shall suspend the imposition of sentence as to a prior or persistent offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011, RSMo, to the contrary notwithstanding, nor shall such person be eligible for parole or probation until he has served a minimum of forty-eight consecutive hours' imprisonment, unless as a condition of such parole or probation such person performs at least ten days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service.

5. The court shall find the defendant to be a prior offender or persistent offender, if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender or persistent offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender or persistent offender.

6. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

7. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

8. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

9. The defendant may waive proof of the facts alleged.

10. Nothing in this section shall prevent the use of presentence investigations or commitments.

11. At the sentencing hearing both the state and the defendant shall be permitted to present additional information bearing on the issue of sentence.

12. The pleas or findings of guilty shall be prior to the date of commission of the present offense.

13. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilty, to assess and declare the punishment as part of its verdict in cases of prior offenders or persistent offenders.

14. Evidence of prior convictions shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence of convictions received by a search of the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol. After hearing the evidence, the court shall enter its findings thereon. A conviction of a violation of a municipal or county ordinance in a county or municipal court for driving while intoxicated or a conviction or a plea of guilty or a finding of guilty followed by a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in a state court shall be treated as a prior conviction.

And further amend the title and enacting clause accordingly.

On motion of Representative Hohulin, House Amendment No. 7 was adopted.

Representative Bland offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, section 302.060, by inserting after said section, the following:

302.171. 1. Application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, social security number, age, height, weight, color of eyes, color of hair, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this section. The application shall also contain such information as the director may require to enable [him] **the director** to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing [his] **the applicant's** identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. **Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the**

intoxication-related offenses of the state, review a video in reference to accidents involving alcohol and drug abuse; provided by the department of mental health/alcohol and drug division; but not limited to the department's video, if other video on the subject is available. The video cost shall not exceed $3.000 to produce or purchase and distribute to state licensing facilities (approximately 60 sites).

2. An applicant for a license may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection and whether the applicant is interested in making an organ donation and shall also specifically inform the licensee of the ability to make an organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health of information obtained from applicants who indicate to the director that they are interested in making organ donations, and the department of health shall enter only the complete name and address in the registry established in subsection 1 of section 194.304, RSMo.; and

Further amend title and enacting clause accordingly.

On motion of Representative Bland, House Amendment No. 8 was adopted.

Representative Smith assumed the Chair.

Representative Lograsso offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 38, Section 302.309, Line 19 of such page, by deleting the word "solely" and on line 20 by inserting after the word "and" the words "other competent evidence and " on line 21 by inserting after the word "was" the word "statutorily" and after the word "privileges" by deleting the remaining words on lines 21 and 22.

On motion of Representative Lograsso, House Amendment No. 9 was adopted.

Representative Lograsso offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, page 39, by deleting the opening bracket on line 10 and the closing bracket on line 12 of said page.

Representative Lograsso moved that House Amendment No. 10 be adopted.

Which motion was defeated by the following vote:

AYES: 062

Akin	Auer	Barry 100	Bartelsmeyer	Bland
Canuteson	Chrismer	Cierpiot	Clayton	Cooper
Daniel 42	Daniels 41	Davis	Days	Dougherty
Edwards-Pavia	Fitzwater	Froelker	Garnett	Gaskill
Gratz	Griesheimer	Hall	Harlan	Hartzler 123
Jacob	Keeven	Kelley 47	Kelly 27	Legan
Linton	Lograsso	Long	Loudon	Lumpe
Marshall 133	McBride	Monaco	Montgomery	Morgan
Murray 69	Oetting	Overschmidt	Pauley	Pouche
Prost	Pryor	Reynolds	Ridgeway	Rizzo
Ross	Schwab	Scott	Sears 1	Skaggs
Smith 159	Sombart	Treadway	Wiggins	Williams
Witt	Mr. Speaker			

NOES: 092

Alter	Backer	Ballard	Barnett 4	Bennett 15

Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Carter	Champion	Childers
Copeland	Crum 112	Crump 152	Donovan	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Foley	Foster	Franklin	Gibbons	Graham
Green	Gross	Gunn	Hagan-Harrell	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Kasten	Kauffman
Klumb	Koller	Kreider	Lakin	Leake
Levin	Liese	Luetkenhaus	Marble	Marshall 26
May 108	Mays 50	McClelland	McLuckie	Murphy
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Relford	Ribaudo	Richardson	Robirds
Sallee	Scheve	Schilling	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 008

Ford	Goward	Hand	Kissell	O'Neill
Thompson 37	Troupe	Ward		

VACANCY: 001

Representative Marshall (133) offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, Page 35, Section 302.309, Line 5, by deleting the words "In Eligibility" and insert in lieu thereof "Ineligibility"

On motion of Representative Marshall (133), House Amendment No. 11 was adopted.

On motion of Representative Hosmer, **HS HCS SS SCS SB 722, as amended,** was adopted.

On motion of Representative Hosmer, **HS HCS SS SCS SB 722, as amended,** was read the third time and passed by the following vote:

AYES: 133

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Gaskill	Gibbons	Goward
Graham	Gross	Hagan-Harrell	Hall	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Koller	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Ribaudo	Richardson
Ridgeway	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 017

Clayton	Daniel 42	Garnett	Gratz	Green
Griesheimer	Gunn	Heckemeyer	Hickey	Jacob
Kreider	Murray 69	Reynolds	Rizzo	Treadway
Wiggins	Witt			

PRESENT: 000

ABSENT WITH LEAVE: 012

Auer	Farmer	Ford	Hand	Harlan
Kissell	Klumb	McClelland	O'Neill	Thompson 37
Troupe	Ward			

VACANCY: 001

Representative Smith declared the bill passed.

On motion of Representative McBride, title to the bill was agreed to.

Representative Relford moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1432**, entitled:

An act to repeal sections 408.110, 443.130, 456.500, 456.520, 456.600 and 473.787, RSMo 1994, and section 361.160, RSMo Supp. 1995, relating to financial transactions, and to enact in lieu thereof twenty-one new section relating to the same subject, with an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1557 and 1489**, entitled:

An act to repeal sections 57.080, 88.251, 115.123, 115.127, 115.329, 115.333, 115.373, 115.385, 115.399, 115.401 and 115.535, RSMo 1994, and sections 115.125 and 115.359, RSMo Supp. 1995, relating to election deadlines, and to enact in lieu thereof thirteen new sections relating to the same subject, with penalty provisions and an emergency clause.

With Senate Amendment Nos. 1, 2, 3, 4, 5, 6, 8, 9, 11 and 12.

Senate Amendment No. 1

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 and 1489, Page 8, Section 115.127, by adding at the end of said section, the following:

"115.279. 1. Application for an absentee ballot may be made by the applicant in person, or by mail, or for the applicant, in person, by his or her guardian or a relative within the second degree by consanguinity or affinity. The election authority may accept applications by facsimile transmission at its discretion and within the limits of its telecommunications capacity.

2. Each application shall be made to the election authority of the jurisdiction in which the person is or would be registered. Each application shall be in writing and shall state the applicant's name, address at which he or she is or would be registered, his or her reason for voting an absentee ballot and the address to which the ballot is to be mailed, if mailing is requested. Each application to vote in a primary election shall also state which ballot the applicant wishes to receive. If any application fails to designate a ballot, the election authority shall, within three working days after receiving the application, notify the applicant by mail that it will be unable to deliver an absentee ballot until the applicant designates which **political party** ballot he or she wishes to receive. **If the applicant does not respond to the request for political party designation, the election authority is authorized to provide the voter with that part of the ballot for which no political party designation is required.**

3. All applications for absentee ballots received prior to the sixth Tuesday before an election shall be stored at the office of the election authority until such time as the applications are processed in accordance with section 115.281. No application for an absentee ballot [submitted] **received in the office of the election authority** by mail, by facsimile transmission or by a guardian or relative after 5:00 p.m. on the Wednesday

immediately prior to the election shall be accepted by any election authority. No application for an absentee ballot submitted by the applicant in person after 5:00 p.m. on the day before the election shall be accepted by any election authority.

4. Each application for an absentee ballot shall be signed by the applicant or, if the application is made by a guardian or relative pursuant to the provisions of this section, the application shall be signed by the guardian or relative, who shall note on the application his or her relationship to the applicant. If an applicant, guardian or relative is blind, unable to read or write the English language or physically incapable of signing the application, he or she shall sign by mark, witnessed by the signature of an election official or person of his or her own choosing. Any person who knowingly makes, delivers or mails a fraudulent absentee ballot application shall be guilty of a class one election offense.

5. Notwithstanding any law to the contrary, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the armed forces of the United States or members of their immediate family living with them may request an absentee ballot for both the primary and subsequent general election with one application."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 2

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 and 1489, Page 13, Section 115.401, at the end of that section, by adding two new sections as follows:

"115.409. Except election authority personnel, election judges, watchers and challengerss not
appointed pursuant to section 115.105 or 115.107, law enforcement officials at the request ofngerss not
election officials or in the line of duty, minor children under the age of [twelve] **eighteen** not
accompanying an adult who is in the process of voting, **persons designated by the election/B> not
authority to administer a simulated youth election for persons ineligible to vote because ofion/B> not
their age,** members of the news media who present identification satisfactory to the electionB> not
judges and who are present only for the purpose of bona fide news coverage except as providedtionB> not
in subdivision (18) of section 115.637, provided that such coverage does not disclose how anytionB> not
voter cast his ballot on any question or candidate or in the case of a primary election ontionB> not
which party ballot they voted or does not interfere with the general conduct of the electiontionB> not
as determined by the election judges or election authority, and registered voters who arettionB> not
eligible to vote at the polling place, no person shall be admitted to a polling place."; and

Further amend said bill page 13, section 115.535 line 6 by adding the following:

Section 1. 1. Before being permitted to enter the polling place, each person designated by the election authority to administer a simulated youth election shall take the following oath:

I do solemnly swear that I will make no statement nor give any information of any kind tending in any way to show the state of the count prior to the close of the polls on election day.

Sworn and subscribed to before me

this.....day of ....., 19.....

.....

Simulated Youth Election Administrator

.....

Judge of Election

2. If any person admitted to the polling place to administer or participate in a simulated youth election interferes with the orderly process of voting, or is guilty of misconduct or any law violation, the election judges shall ask the person to leave the polling place or cease the interference. If the interference continues, the election judges shall notify the election authority, which shall take such action as it deems necessary. It shall be the duty of the police, if requested by the election authority or judges of election, to exclude any such person from the polling place or the place where votes are being counted."

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 and 1489, Page 5, Section 115.125, Line 3, by inserting after the word "or" a comma and the following: "**notwithstanding any prior laws to the contrary, in the year 1996 and thereafter,**"; and

Further amend said bill, Page 11, Section 115.399, Line 2, by inserting after the word "or" a comma and the following: "**notwithstanding any prior laws to the contrary, in the year 1996 and thereafter,**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 4

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 and 1489 Page 1, Section Title, Lines 4-5 by striking the words "election deadlines" and inserting in lieu thereof the word "elections"; and

Further amend said bill, page 8, section 115.127, line 76, by inserting immediately after said line, the following:

"115.300. In each jurisdiction using an electronic voting system [and using ballot cards as absentee ballots], the election authority may [prepare absentee ballot envelopes, as they are received for processing and tabulation on election day or on the day preceding election day] **start, not earlier than the fifth day prior to the election, the preparation of absentee ballots for tabulation on the election day**. The election authority shall give notice to the county chairman of each major political party forty-eight hours prior to beginning preparation of absentee ballot envelopes. Absentee ballot [envelopes] **preparation** shall be [prepared] **completed** by teams of election authority employees **or teams of election judges**, with each team consisting of one member from each major political party."; and

Further amend said bill, page 13, section 115.535, line 6, by inserting immediately after said line, the following:

"115.611. 1. **Except as provided in subsection 4 of section 115.613,** any registered voter of the county may have [his or her] **such voter's** name printed on the primary ballot of [his or her] **such voter's** party as a candidate for county committeeman or committeewoman by filing a declaration of candidacy in the office of the county election authority and by paying any filing fee required by subsection 2 of this section.

2. Before filing [his] **such candidate's** declaration of candidacy, candidates for county committeeman or county committeewoman shall pay to the treasurer of [his] **such candidate's** party's county committee, or submit to the county election authority to be forwarded to the treasurer of [his] **such candidate's** party's committee, a certain sum of money, as follows:

(1) One hundred dollars if [he] **such candidate** is a candidate for county committeeman or committeewoman in any county which has or hereafter has over nine hundred thousand inhabitants or in any city not situated in a county;

(2) Twenty-five dollars if [he] **such candidate** is a candidate for county committeeman or committeewoman in any county of the first class containing the major portion of a city which has over three hundred thousand inhabitants;

(3) Except as provided in subdivisions (1) and (2) of this subsection, no candidate for county committeeman or committeewoman shall be required to pay a filing fee.

3. Any person who cannot pay the fee to file as a candidate for county committeeman or committeewoman may have the fee waived by filing a declaration of inability to pay and a petition with the official with whom [he] **such candidate** files [his] **such candidate's** declaration of candidacy. The provisions of section 115.357 shall apply to all such declarations and petitions.

4. No person's name shall be printed on any official primary ballot as a candidate for county committeeman or committeewoman unless the person has filed a declaration of candidacy with the proper election authority not later than 5:00 p.m. on the last Tuesday in March immediately preceding the primary election.

115.613. 1. **Except as provided in subsection 4 of this section,** the qualified man and woman receiving the highest number of votes from each committee district for committeeman and committeewoman of a party shall be members of the county committee of the party.

2. If two or more qualified persons receive an equal number of votes for county committeeman or committeewoman of a party and a higher number of votes than any other qualified person from the party, a vacancy shall exist on the county committee which shall be filled by a majority of the committee in the manner provided in section 115.617.

3. If no qualified person is elected county committeeman or committeewoman from a committee district for a party, a vacancy shall exist on the county committee which shall be filled by a majority of the committee in the

manner provided in section 115.617.

4. The provisions of this subsection shall apply only in any county where no filing fee is required for filing a declaration of candidacy for committeeman or committeewoman in a committee district. If only one qualified candidate has filed a declaration of candidacy for committeeman or committeewoman in a committee district for a party prior to the deadline established by law, no election shall be held for committeeman or committeewoman in the committee district for that party and the election authority shall certify the qualified candidate in the same manner and at the same time as candidates elected pursuant to subsection 1 of this section are certified. If no qualified candidate files for committeeman or committeewoman in a committee district for a party, no election shall be held and a vacancy shall exist on the county committee which shall be filled by a majority of the committee in the manner provided in section 115.617.

130.037. 1. Notwithstanding other provisions of the law to the contrary, any person who was a candidate at an election held on or before November 8, 1994, may form two candidate committees if that person's candidate committee reported outstanding obligations in excess of moneys on hand on the first report submitted pursuant to section 130.041 after November 8, 1994. One such committee shall be dedicated solely to raising moneys to pay off outstanding obligations of the candidate. **The committee may accept funds from the candidate committee to pay off outstanding obligations.** The committee may not engage in activities in support of the candidate for which it was formed, other than activities directly related to the retirement of debt. The committee may not contribute moneys to any other committee and may not make direct expenditures on behalf of any ballot issue. It may raise funds to retire the candidate's debt under the provisions of law in effect prior to November 8, 1994, so long as those contributions are expressly made to retire outstanding debt and are applied toward retiring such debt, but otherwise the provisions of this chapter apply. The treasurer and the candidate shall terminate the committee pursuant to section 130.021 within thirty days of its payment of the outstanding debt.

2. If a candidate has formed or forms a candidate committee to raise funds for a future election, that committee may accept contributions in the amount authorized by law and may use any contributions received for any purpose lawful under this chapter, except the payment of debt incurred before November 8, 1994. Moneys in the official depository accounts of the two committees cannot be commingled.

3. The provisions of this section shall expire December 31, 1996."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 and 1489, Section 115.123, Page 5, Line 31, by adding after the word "August" the following: "**and municipalities may hold elections in nonprimary years on the first Tuesday after the first Monday in August**".

Senate Amendment No. 6

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1557 and 1489 Page 1, Section Title, Lines 4-5 by striking "election deadlines" and inserting in lieu thereof the following: "elections"; and

Further amend said bill, page 8, section 115.127, line 76, by inserting immediately after said line the following:

"115.283. 1. Each ballot envelope shall bear a statement on which the voter shall state his name, his voting address, his mailing address and his reason for voting an absentee ballot. On the form, the voter shall also state, under penalties of perjury that he is qualified to vote in the election, that he has not previously voted and will not vote again in the election, that he has personally marked his ballot in secret or supervised the marking of his ballot if he is unable to mark it, that the ballot has been placed in the ballot envelope and sealed by him or under his supervision if he is unable to seal it, and that all information contained in the statement is true. Persons authorized to vote only for federal and statewide officers shall also state their former Missouri residence.

2. The statement for persons voting absentee ballots who are registered voters shall be in substantially the following form:

State of Missouri

County (City) of ..... I, ... (print name), a registered voter of ..... County (City of St. Louis, Kansas City), declare under the penalties of perjury that I expect to be prevented from going to the polls on election day due to (check one):

..... absence on election day from the jurisdiction of the election authority in which I am registered;

..... incapacity or confinement due to illness or physical disability;

..... religious belief or practice;

..... employment as an election authority or by an election authority at a location other than my polling place;

..... incarceration, although I have retained all the necessary qualifications for voting.

I hereby state under penalties of perjury that I am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

....
Signature of Voter Signature of Person

(if applicable)

.....

..... Subscribed and sworn to
Address of Voter before me this ..... day

of ....., 19...

.....

....
Mailing addresses Signature of notary or
(if different) other officer authorized

to administer oaths

3. The statement for persons voting absentee ballots under the provisions of subsection 2, 3 or 4 of section 115.277 without being registered shall be in substantially the following form:

State of Missouri

County (City) of ..... I,..... (print name), declare under the penalties of perjury that I am a citizen of the United States and eighteen years of age or older. I am not declared incompetent by any court of law, and if I have been convicted of a felony or of a misdemeanor connected with the right of suffrage, I have had the voting disabilities resulting from such conviction removed pursuant to law. I hereby state under penalties of perjury that I am qualified to vote at this election.

(1) I am a resident of the state of Missouri and (check one):

..... am a member of the U.S. armed forces in active service;

..... am an active member of the U.S. merchant marine;

..... am a civilian employee of the U.S. government working outside the United States;

..... am an active member of a religious or welfare organization assisting servicemen;

..... have been honorably discharged or terminated my service in one of the groups
mentioned above within sixty days of this election;

..... am a spouse or dependent of one of the above;

..... am a registered voter in ..... County and moved from that county to ..... County, Missouri, after 5:00 p.m. on the fourth Tuesday prior to this election.

OR (check if applicable)

(2) ..... I am a former resident of Missouri and authorized to vote for federal officers by federal law. I further state under penalties of perjury that I have not voted and will not vote other than by this ballot at this election; I marked the enclosed ballot in secret or am blind, unable to read or write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

..... Subscribed to and sworn before
Signature of Voter me this ..... day of

....., 19...

.....

....
Address of Voter Signature of notary or other

officer authorized to administer

oaths

.....

.....

Mailing Address

(if different) .....
....
Signature of Person Address of Last Missouri
Assisting Voter Residence
(if applicable) for persons authorized to vote

for federal officers by federal

law)

4. The statement for persons voting absentee ballots who are entitled to vote at the election under the provisions of subsection 2 of section 115.137 shall be in substantially the following form:

State of Missouri

County (City) of ..... I, ... (print name), declare under the penalties of perjury that

I expect to be prevented from going to the polls on election day due to (check one):

..... absence on election day from the jurisdiction of the election authority in which I am directed to vote;

..... incapacity or confinement due to illness or physical disability;

..... religious belief or practice;

..... employment as an election authority or by an election authority at a location other than my polling place;

..... incarceration, although I have retained all the necessary qualifications of voting.

I hereby state under penalties of perjury that I own property in the ..... district and am qualified to vote at this election; I have not voted and will not vote other than by this ballot at this election. I further state that I marked the enclosed ballot in secret or that I am blind, unable to read and write English, or physically incapable of marking the ballot, and the person of my choosing indicated below marked the ballot at my direction; all of the information on this statement is, to the best of my knowledge and belief, true.

..... Subscribed and sworn to
Signature of Voter before me this .....

day of .....,

19 ....

.....

....
Address Signature of notary or

other officer authorized

to administer oaths

.....

Signature of Person

Assisting Voter

(if applicable)

5. Notwithstanding any other provision of this section, any resident of the state of Missouri who resides outside the boundaries of the United States or who is on active duty with the armed forces of the United States or members of their immediate family living with them or persons who are permanently disabled if they have filed a statement by a physician attesting to their permanent disability which would require the person to vote an

absentee ballot with the election authority within the jurisdiction of their residence **or if the person's name is entered on such election authority's list pursuant to section 1 of this act**, otherwise entitled to vote, shall not be required to obtain a notary seal or signature on his absentee ballot.

6. Notwithstanding any other provision of this section or section 115.291 to the contrary, the subscription, signature and seal of a notary or other officer authorized to administer oaths shall not be required on any ballot, ballot envelope, or statement required by this section if the reason for the voter voting absentee is due to illness or physical disability.

115.290. Any person registered by mail under the provisions of section 115.159 and voting by absentee ballot shall provide an affidavit subscribed and sworn to as provided in section 115.291 regardless of the cause for requesting such ballot unless the voter is exempt from such requirement under **section 1 of this act or** section 1973ee-3, title 42, United States Code.

115.291. 1. Upon receiving an absentee ballot, the voter shall mark his ballot in secret, place the ballot in the ballot envelope, seal the envelope and fill out the statement on the ballot envelope. The affidavit of each person voting an absentee ballot shall be subscribed and sworn to before the election official receiving the ballot, a notary public or other officer authorized by law to administer oaths, unless the voter is voting absentee due to **the provisions of section 1 of this act or** incapacity or confinement due to illness or physical disability. If the voter is blind, unable to read or write the English language, or physically incapable of voting his ballot, he may be assisted by a person of his own choosing. Any person assisting a voter who is not entitled to such assistance, and any person who assists a voter and in any manner coerces or initiates a request or a suggestion that the voter vote for or against or refrain from voting on any question, ticket or candidate, shall be guilty of a class one election offense. If, upon counting, challenge or election contest, it is ascertained that any absentee ballot was voted with unlawful assistance, the ballot shall be rejected.

2. Each absentee ballot shall be returned to the election authority in the ballot envelope and shall only be returned by the voter in person, by mail or registered carrier or by a team of deputy election authorities.

3. In cases of an emergency declared by the President of the United States or the governor of this state where the conduct of an election may be affected, the secretary of state may provide for the delivery and return of absentee ballots by use of a facsimile transmission device or system. Any rule promulgated pursuant to this subsection shall apply to a class or classes of voters as provided for by the secretary of state."; and

Further amend said bill, page 13, section 115.535, line 6, by inserting immediately after said line the following:

"**Section 1. 1. There is hereby established an absentee voting process to assist persons with permanent disabilities in the exercise of their voting rights.**

2. The local election authority shall send an application for the absentee voting process set out in this section to any registered voter who resides within the election authority's jurisdiction, upon request. The secretary of state shall promulgate rules in accordance with chapter 536, RSMo, for the form and content of the application.

3. Upon receipt of a properly completed application and a physician's form, pursuant to subsection 4 of this section, the election authority shall enter the registered voter's name on a list of voters qualified to participate as absentee voters pursuant to this section. The election authority may verify the physician's credentials. The board of healing arts, as established in section 334.120, RSMo, shall annually provide the secretary of state with a list of physicians licensed pursuant to chapter 334, RSMo, which the secretary of state shall make available to all election authorities. If the physician is licensed in a state other than Missouri, an affidavit, as defined in subdivision (1) of section 575.010, RSMo, which is signed by the physician and attests to the physician's credentials shall accompany the physician's form.

4. The physician's statement of permanent disability shall be in substantially the following form:

State of .....

County (City) of ..... I, ... (print physician's name), ... (number of physician's license to practice medicine) certify that I am licensed to practice medicine in ..... (state) and that I have determined in my professional, medical opinion that ..... (name of registered voter) of ..... (address of registered voter) has a permanent disability.

*** An affidavit is required from a physician licensed in a state other than Missouri.**

..... (signature of physician)

5. The election authority shall deliver to each voter on the election authority's list pursuant to this section the appropriate absentee voting ballots for that voter's precinct at the appropriate times throughout the year. The method of delivery shall be by bipartisan teams appointed by the election authority to deliver the absentee ballots in person, or by first class, registered or certified mail at the discretion of the election authority."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 8

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1557 1489 Page 1, Section Title, Line 4 by inserting immediately after "1995," the following: "and section 1 as enacted by the second regular session of the eighty-eighth general assembly in house bill no. 956 on April 25, 1996,"; and

Further amend said title, lines 4-5, by striking "election deadlines" and inserting in lieu thereof the word "elections"; and

Further amend said bill, page 1, section A, line 3, by inserting immediately after "1995," the following: "and section 1 as enacted by the second regular session of the eighty-eighth general assembly in house bill no. 956 on April 25, 1996,"; and

Further amend said bill, page 2, section 57.080, line 24, by inserting immediately after said line, the following:

"72.400. As used in sections 72.400 to 72.418, the following terms mean:

(1) "Boundary change", any annexation, consolidation, incorporation, disincorporation, transfer of jurisdiction between municipalities or between a municipality and the county, or combination thereof, which, if approved, would result in a municipality composed of contiguous territory;

(2) "Commission", a boundary commission established pursuant to this section;

(3) "Contiguousness", territory proposed for annexation in which at least fifteen percent of its boundary is adjacent to the municipality which is proposing the annexation;

(4) "Proposing agent", the governing body of any municipality which by ordinance has adopted a boundary change proposal or the governing body of the county which by ordinance has adopted a boundary change proposal, or a person presenting petitions signed by a number of registered voters equal to not less than fifteen percent of the number of votes cast for governor in the last gubernatorial election in the total combined area affected by the boundary change proposal. Petitions submitted by proposing agents may be submitted with exclusions for the signatures collected in areas originally included in the proposal but subsequently annexed or incorporated separately as a city, town or village, although the commission shall be satisfied as to the sufficiency of the signatures for the final proposed area;

(5) "Simplified boundary change", an annexation initiated by a verified petition signed by seventy-five percent of the residential property owners of all fee interests of record of the area proposed for annexation and filed by the annexing municipality and which the commission determines and finds should be approved without voter approval;

(6) "Voting jurisdiction", a city, town or village, or areas of unincorporated territory with boundaries established by the commission for purposes of holding a boundary change election**;**

(7) "Boundary adjustment", an adjustment of a boundary between two municipalities or a municipality and the unincorporated area of the county involving two parcels in common ownership or portions of a single parcel in common ownership or an adjustment between two municipalities or a municipality and the unincorporated area of the county involving only public property or public rights-of-way.

72.401. 1. If a commission has been established pursuant to section 72.400, any boundary change within the county shall proceed solely and exclusively in the manner provided for by sections 72.400 to 72.420, notwithstanding any statutory provisions to the contrary concerning such boundary changes.

2. In any county with a charter form of government where fifty or more cities, towns and villages have been established, there shall be no incorporation of any new city, town, or village wholly or partially in such county, nor any annexation or consolidation of any area wholly or partially in such county for one hundred twenty days after June 2, 1995, except for the following:

(1) As provided in subsection 3 of this section; or

(2) Where the governing body of the county specifically adopts an ordinance stating that a boundary commission shall not be established in the county, such incorporation, annexation or consolidation may resume after the effective date of the ordinance. Immediately after the expiration of such moratorium, if the governing body of such county has by ordinance established a boundary commission, as provided in sections 72.400 to 72.420, then annexation, incorporation and consolidation in such county shall proceed only as provided in sections 72.400 to 72.420. The procedures established in section 72.420 shall remain applicable to counties of the first classification where fifty or more cities, towns and villages have been established. The provisions of sections 72.400 to 72.420 shall expire on December 31, 2002, unless the general assembly reauthorizes such provisions prior to December 31, 2002.

3. Notwithstanding any provisions of law to the contrary, any boundary changes approved by voters, simplified boundary changes approved by one hundred percent of the property owners and the governing body of the annexing city, and exchanges of land agreed to by the governing bodies of the jurisdictions involved in the exchange, which have been approved or agreed to prior to June 2, 1995, and which have not yet taken

effect at the time of the first meeting of the boundary commission shall not be subject to commission approval.

4. Any proposal for incorporation by petition of at least six thousand registered voters which has been submitted to the governing body of the county under section 72.080 by June 30, 1995, shall not be subject to commission approval, and such boundary changes shall become effective on the date determined by the jurisdictions involved or by court order. Notice of such boundary changes shall be provided to the commission.

5. The commission shall be composed of eleven members as provided in this subsection. No member shall be an elective official, employee or contractor of any political subdivision or of any organization representing political subdivisions or officers or employees of political subdivisions. Each of the appointing authorities described in subdivisions (1) to (5) of this subsection shall appoint persons who shall be residents of their respective locality so described. The appointing authority making the appointments shall be:

(1) The chief elected officials of all municipalities wholly within the county which have a population of more than twenty thousand persons, who shall name the number of members to the commission as prescribed in this subsection;

(2) The chief elected officials of all municipalities wholly within the county which have a population of twenty thousand or less but more than ten thousand persons, who shall name the number of members to the commission as prescribed in this subsection;

(3) The chief elected officials of all municipalities wholly within the county which have a population of ten thousand persons or less, who shall name the number of members to the commission as prescribed in this subsection;

(4) Each member of the county council of the three county council districts with the largest number of residents residing within the unincorporated area of the county, who shall each be allowed to nominate one member of the commission in the manner prescribed in this subdivision. Each such county council member shall submit a list of two residents of the unincorporated area of such member's district to the county executive, and the county executive shall select one person from each list so submitted to be a member of the commission. If a list is not submitted to the county executive by the times prescribed in subsection 6 of this section, the county executive shall name a person to be a member of the commission; and

(5) The county executive of the county, who shall name two of the members of the commission from the unincorporated area of the county. The seat of a commissioner shall be automatically vacated when the commissioner ceases to be a resident member of the appointing group. The vacancy shall be filled according to subsection 7 of this section. Each appointing authority described in subdivisions (1) to (3) of this subsection shall appoint a member for every sixteen and two-thirds percent, rounded up or down to the nearest sixteen and two-thirds percent, of the population of the county which resides in the municipalities described in such subdivisions. In the event that rounding would result in more than six members from the three municipal appointing authorities, then rounding up shall not apply to the appointing authority farthest from the next higher sixteen and two-thirds percent. Percentages and populations shall be calculated according to the last federal decennial census. They shall be calculated as of June 30, 1995.

6. Upon the passage of an ordinance by the governing body of the county establishing a boundary commission, the governing body of the county shall, within ten days, send by United States mail written notice of the passage of the ordinance to the chief elected official of each municipality wholly or partly in the county. Each of the appointing authorities described in subdivisions (1) to (3) of subsection 5 of this section shall meet within thirty days of the passage of the ordinance establishing the commission to compile its list of appointees. Each list shall be delivered to the county executive within forty-one days of the passage of such ordinance. The county executive shall appoint members representing the unincorporated areas of the county within forty-five days of the passage of the ordinance. If a list is not submitted by the time specified, the county executive shall appoint the members using the criteria of subsection 5 of this section before the sixtieth day from the passage of the ordinance. On the sixty-first day from the passage of such ordinance, the commission shall begin to exercise the powers and duties assigned to it by sections 72.400 to 72.418. At the first meeting of the commission, the commissioners shall choose by lot the length of their terms. Three shall serve for one year, two for two years, two for three years, two for four years, and two for five years. All succeeding commissioners shall serve for five years. Terms shall end on December thirty-first of the respective year. No commissioner shall serve more than two consecutive full terms. Full terms shall include any term longer than two years.

7. When a member's term expires, or if a member is for any reason unable to complete his term, the respective appointing authority shall appoint such member's successor. The appointee shall be determined by the appointing authority from whose list the outgoing member was appointed. Each appointing authority shall act to ensure that each appointee is secured accurately and in a timely manner, when a member's term expires or as soon as possible when a member is unable to complete his term. A member whose term has expired shall continue to serve until his successor is appointed and qualified.

8. The commission, its employees and subcontractors shall be subject to the regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements for open meetings and records under chapter 610, RSMo.

9. Notwithstanding any provisions of law to the contrary, any boundary adjustment approved by the property

owners and the governing bodies of the affected municipalities or the county, if involved, shall not be subject to commission review.; and

Further amend said bill, page 13, section 115.535, line 6, by inserting immediately after said line, the following:

[**Section 1. 1. The boundary commission of any county of the first classification with a charter form of government and a population greater than nine thousand may grant any petition for annexation submitted by a single property owner whose continuous tract of property lies in two adjacent municipalities so long as the following conditions are met:**

(1) All of the property that is the subject of the annexation petition is owned by the petitioner;

(2) The petitioner's residence is located on the portion of property that is within the incorporated limits of the annexing municipality.

2. Such petition shall be handled pursuant to the simplified boundary change as provided in subdivision (4) of subsection 1 of section 72.400, RSMo, and shall not require a public vote.]"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 9

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 and 1489, Page 13, Section 115.535, Line 6, by inserting immediately after said line one new section to read as follows:

"**Section 1. Other provisions of the law to the contrary notwithstanding, persons running for or serving as a county committee member for a political party pursuant to section 115.609 RSMo, may consolidate all campaign disclosure filings with the committee member's ward organization, provided however, that all limits and restrictions applicable to candidates shall still apply and any consolidated report shall clearly identify the amount and source of any and all funds received or spent on behalf of the committeeman or committeewoman of the ward.**"; and

Further amend the title and enacting clause accordingly.

Seventy-sixth Day-Thursday, May 16, 1996

Senate Amendment No. 11

Amend Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 and 1489 Page 1, Section Title, Line 4-5 by striking "election deadlines" and inserting in lieu thereof the word "elections"; and

Further amend said bill, page 8, section 115.127, line 76, by inserting immediately after said line the following:

"115.157. The election authority may place all information on any registration cards in computerized form in accordance with subsection 2 of section 115.158. No election authority or secretary of state shall furnish to any member of the public a tape or printout showing any registration information, except as provided in this section. The election authority or secretary of state shall make available tapes, printouts and mailing labels showing **unique voter identification numbers,** voters' names, dates of birth, addresses, townships or wards, and precincts for a reasonable fee determined by the secretary of state. **Electronic data shall be maintained in at least the following separate fields:**

(1) Voter identification number;

(2) First name;

(3) Middle initial;

(4) Last name;

(5) Suffix;

(6) Street number;

(7) Street direction;

(8) Street name;

(9) Street suffix;

(10) Apartment number;

(11) City;

(12) State;

(13) Zip code;

(14) Township;

(15) Ward;

(16) Precinct;

(17) Senatorial district;

(18) Representative district;

(19) Congressional district.

Mailing labels shall include a unique voter identification number for each name. All revenues collected by the secretary of state as provided in this section shall be deposited in the state treasury and credited to the secretary of state's technology trust fund account. The election authority shall also furnish, for a reasonable fee, a printout, mailing labels or other record showing the names, dates of birth and addresses of voters, or any part thereof, within the jurisdiction of the election authority who voted in any specific election, including primary elections, by township, ward or precinct, provided that the election authority enters such data into the computer database. **The amount of fees charged for information provided in this section shall be established by rules promulgated by the office of the secretary of state, which shall be subject to the rulemaking provisions of chapter 536, RSMo.** Each election authority that has registration records in computerized form shall have printed in even-numbered years a copy of the voter registration list for its jurisdiction. One copy of the computerized printout, if available, shall be supplied to all candidates and party committees upon request for a reasonable charge. **Any election authority who has a computerized registration system and who, as of the effective date of this act, has all or any part of the information contained in subdivisions (1) to (19) of this section within the computerized registration system, shall make that information available, pursuant to chapter 610, RSMo, for use in the 1996 general election, and all subsequent elections. Any election authority who has a computerized registration system but who does not have such information within the computerized registration system on the effective date of this act, shall make such information available for use in all elections following the 1996 general election. Any election authority who fails to comply with the requirements of this section shall be subject to the provisions of chapter 610, RSMo.**

115.158. 1. On or before July 1, 1996, the secretary of state may begin to procure and develop an electronic data processing system and programs capable of maintaining a centralized database of all registered voters in the state. This system shall be known as the "Centralized Voter Registration System". In addition to maintaining a centralized voter registration database, the election authorities and secretary of state may use the system for the collection and dissemination of election results and other pertinent information. Any information contained in any state or local voter registration system, limited to the master voter registration list or any other list generated from the information, subject to chapter 610, RSMo, shall not be used for commercial purposes; provided, however, that the information can be used for elections, for candidates, or for ballot measures, furnished at a reasonable fee. **The amount of fees charged for information provided in this section shall be established by rules promulgated by the office of the secretary of state, which shall be subject to the rulemaking provisions of chapter 536, RSMo.** Violation of this section shall be a class B misdemeanor.

2. The secretary of state may adopt rules and regulations necessary to administer the system required in subsection 1. The rules and regulations must at least:

(1) Provide for voters to submit their registration to those offices and agencies authorized in this chapter and the National Voter Registration Act of 1993;

(2) Provide for the establishment and maintenance of a centralized database for all voter registration information;

(3) Provide procedures for entering data into the centralized database;

(4) Provide for the interaction with other state agencies and departments to facilitate voter registration;

(5) Allow election authorities and the secretary of state to add, modify, and delete information from the system to provide for accurate and up-to-date information;

(6) Allow election authorities and the secretary of state access to the centralized database for review and search capabilities;

(7) Provide security and protection of all information in the centralized database and monitor the centralized database to ensure unauthorized entry is not allowed;

(8) Provide a system for each election authority to identify the precinct to which a voter should be assigned for voting purposes;

(9) Provide a procedure for phasing in or converting existing manual and computerized voter registration systems to the centralized voter registration system; and

(10) Provide a procedure for transferring data from election authorities' existing computerized voter registration systems located in first class counties to the centralized voter registration system.

3. The secretary of state shall be responsible for the implementation and maintenance of the centralized voter registration system.

4. The secretary of state shall by rule and regulation establish an advisory committee to assist in the establishment and maintenance of a centralized voter registration system."; and

Further amend said bill, page 13, section 115.535, line 7, by inserting immediately after said line, the following:

"**Section 1. 1. In order for candidates for election and public officials to more easily file reports required by law and to access information contained in such reports, and for the Missouri ethics commission to receive and store reports in an efficient and economical method, and for the general public and news media to access information contained in such reports, the commission shall establish and maintain an electronic reporting system pursuant to this section.**

2. By July 1, 1998, the Missouri ethics commission shall establish and maintain an electronic reporting system pursuant to this section to record and store information from all reports required to be filed with the commission including monthly lobbying reports filed by law, provided that the system need accommodate campaign finance reports relating only to all candidates for the house of representatives, the senate, attorney general, state auditor, state treasurer, secretary of state, lieutenant governor, and governor. The system shall be used for the collection, filing and dissemination of all reports filed with the commission. All reports received on and after July 1, 1998, shall be maintained and stored in an electronic format by the commission.

3. Beginning July 1, 1998, persons may file reports in an electronic format as prescribed by the commission or may file such reports in a paper format and include payment with the report to cover the commission's cost of converting the paper report to an electronic format. The cost shall be set by the commission but shall not exceed five dollars for the initial page and one dollar for each subsequent page. The commission shall determine the electronic format in which data is to be furnished.

4. The commission shall prepare a proposal detailing the requirements of the electronic reporting system and may contract with the lowest and best bidder in the manner prescribed by law for awarding contracts to acquire the system. The electronic system reporting shall provide for the manner of access, including appropriate security requirements, to reports stored within the electronic access system developed pursuant to this section and the manner of recording the names of those individuals accessing such electronic access system.

5. A copy of all reports filed in the electronic reporting system shall be available on an electronic access system so that members of the general public may obtain copies of reports filed pursuant to this section. The access system shall be organized and maintained in such a manner to allow an individual to obtain information concerning all contributions made to or on behalf of, and all expenditures made on behalf of, any public official described in subsection 2 of this section in formats that will include both written and electronically readable formats.", and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 12

Amend Senate Committee Substitute for House Committee Substitute for House Bill No. 1557 and 1489 Page 1, Section Title, Line 4-5 by striking the words "election deadlines" and inserting in lieu thereof the word "elections"; and

Further amend said bill, page 4, section 115.123, line 1, by inserting immediately before said line, the following:

"[105.965. 1. Any person who contributes or causes to be contributed, directly or indirectly, during the term of office and two years prior thereto, the sum of three thousand dollars or more in the aggregate to any statewide elected official shall disclose to the commission within thirty days after initially contacting the executive branch of government or any elected or appointed official, employee, department, division, agency or board or commission of the executive branch, any contact made for the purpose of attempting to influence a decision of a nonadversarial nature which results in financial gain for the contributor. Such disclosure shall include the following:

(1) The amount of such contribution and to whom the contribution was made;

(2) The person, persons or entity represented by such person; and

(3) The department, division, agency, board, commission or entity contacted.

2. Any person who violates the provisions of this section shall be guilty of an infraction.]"; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HA 1 and HA 2 to SCS SB 719** and has taken up and passed **SCS SB 719, as amended, by HCA 1, HA 1 and HA 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS SB 757, as amended**, and has taken up and passed **HS SB 757 as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS HB 781, as amended**, and has taken up and passed **CCS HCS HB 781**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 572**: Senators Moseley, Johnson, House, Bentley and Westfall.

THIRD READING OF SENATE BILL

HCS SS SS SB 488, relating to child care/domestic violence, was taken up by Representative Dougherty.

Representative Dougherty offered **HS HCS SS SS SB 488**.

Representative Akin raised a point of order that **HS HCS SS SS SB 488** goes beyond the scope of the bill.

Representative Smith requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

The Speaker resumed the Chair.

Representative Green offered House Amendment No. 1.

Representative Marble raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Green offered House Amendment No. 1.

Representative Marble raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Marble offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Substitute for Senate Bill No. 488, page 2, section 174.773, line 16, by deleting from said line the following: "**at least**"; and

Further amend said section, lines 17 through 22, by deleting all of said lines; and

Further amend said section, page 3, lines 1 through 2 by deleting all of said lines before the word "**whenever**".

Representative Green raised a point of order that House Amendment No. 1 is not germane to the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Marble, House Amendment No. 1 was adopted.

Representative Oetting offered House Amendment No. 2.

House Amendment No. 2 was withdrawn.

Representative Auer assumed the Chair.

Representative Kasten offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Bill No. 488, page 22, section 487.170, by inserting after said section, the following:

"**Section 1. When a petition, which lists the names of children to the marriage who are less than eighteen years of age, is filed pursuant to the provisions of section 452.310, RSMo, the court shall order the parties to the**

dissolution to participate in a mediation program regarding any contested issues of child custody and visitation pursuant to the provisions of supreme court rule 88, except for good cause shown. As used in this section, "good cause" includes, but is not limited to, allegations of domestic violence, but does not mean the absence of qualified mediators."; and

Further amend title and enacting clause accordingly.

On motion of Representative Kasten, House Amendment No. 2 was adopted by the following vote:

AYES: 082

Akin	Auer	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Bonner	Boucher	Broach
Brown	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Daniel 42	Daniels 41	Donovan
Edwards-Pavia	Elliott	Enz	Evans	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Griesheimer 124	Gross	Hall	Hartzler 123	Hartzler
Hegeman	Hendrickson	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kelley 47
Leake	Levin	Linton	Long	Loudon
Luetkenhaus	Marble	McBride	McClelland	Murphy
Murray 135	Naeger	Nordwald	O'Toole	Ostmann
Overschmidt	Pouche	Pryor	Ridgeway	Robirds
Ross	Sallee	Schwab	Scott	Secrest
Sheldon 104	Shields	Sombart	Summers	Surface
Treadway	Vogel	Wannenmacher	Whiteside	Wieland
Williams 159	Wooten			

NOES: 067

Alter	Backer	Barry 100	Bray 84	Canuteson
Carter	Clayton	Copeland	Crum 112	Crump 152
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Franklin	Goward
Gratz	Green	Gunn	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Jacob	Kelly 27	Klumb
Koller	Kreider	Lakin	Legan	Liese
Lograsso	Lumpe	Marshall 26	May 108	Mays 50
McLuckie	Monaco	Montgomery	Morgan	Murray 69
O'Connor	Pauley	Relford	Reynolds	Rizzo
Scheve 57	Schilling	Sears 1	Shear 83	Shelton
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Troupe	Van Zandt	Wiggins	Williams 121
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Ford	Hand	Kissell	Marshall 133
O'Neill	Oetting	Prost	Ribaudo	Richardson
Steen	Thompson 37	Ward		

VACANCY: 001

Representative May (108) offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Bill No. 488, section 174.770, by inserting before said section, the following:

43.530. For each request received by the central repository, as defined in subdivision (1) of section 43.500, the requesting entity shall pay a fee of not more than five dollars per request for criminal history record information and pay a fee of not more than [fourteen] **ten** dollars per request for classification and search of fingerprints**; except as provided in subsection 4 of section 660.317, RSMo**. Each such request shall be limited to check and search on one individual. Each request shall be accompanied by a check, warrant, voucher, or money order payable to the state of Missouri-criminal record system. There is hereby established by the treasurer of the state of Missouri a fund to be entitled as the "Criminal Record System Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, if the moneys collected and deposited into this fund are not totally expended

annually for the purposes set forth in section 43.527, the unexpended moneys in such fund shall remain in the fund and the balance shall be kept in the fund to accumulate from year to year.

43.540. 1. As used in this section, the following terms mean:

(1) "Criminal record review", a request to the highway patrol for information concerning any criminal history record for a felony or misdemeanor;

(2) "Patient or resident", a person who by reason of aging, illness, disease or physical or mental infirmity receives or requires care or services furnished by a provider, as defined in this section, or who resides or boards in, or is otherwise kept, cared for, treated or accommodated in a facility as defined in section 198.006, RSMo, for a period exceeding twenty- four consecutive hours;

[(2)] **(3)** "Patrol", the Missouri state highway patrol;

[(3)] **(4)** "Provider", any licensed day care home, licensed day care center, licensed child placing agency, licensed residential care facility for children, licensed group home, licensed foster family group home, [or] licensed foster family home**, any operator licensed pursuant to chapter 198, RSMo, any employer of nurses or nursing assistants for temporary or intermittent placement in health care facilities, any person approved by the department of social services to issue certificates for nursing assistants training or any entity licensed pursuant to chapter 197, RSMo**;

[(4)] **(5)** "Youth services agency", any public or private agency, school, or association which provides programs, care or treatment for or which exercises supervision over minors.

2. Upon receipt of a written request from a **private investigatory agency, a** youth service agency or a provider, with the written consent of the applicant, the highway patrol shall conduct a criminal record review of an applicant for a paid [or voluntary] position with the agency or provider if such position would place the applicant in [direct] contact with minors**, or, patients or residents as defined in subsection 1 of this section**.

3. Any request for information made pursuant to the provisions of this section shall be on a form provided by the highway patrol and shall be signed by the person who is the subject of the request.

4. **Pursuant to sections 43.507 and 610.120, RSMo,** the patrol shall respond in writing to the youth service agency or provider making a request for information [under] **pursuant to** this section and shall inform such youth service agency or provider of the nature of the offense, and the date, place and court. Notwithstanding any other provision of law to the contrary, the youth service agency or provider making such request shall have access to all records of arrests resulting in an adjudication where the applicant was found guilty or entered a plea of guilty or nolo contendere in a prosecution [under] **pursuant to chapter 565, RSMo, or** sections 566.010 to 566.141, RSMo, or under the laws of any state or the United States for offenses described in sections 566.010 to 566.141**, RSMo, or** chapter 565, RSMo, during the period of any probation imposed by the sentencing court.

5. Any information received by a provider or a youth services agency [under] **pursuant to** this section shall be used solely for the [providers] **provider's** or youth service [agencies'] **agency's** internal purposes in determining the suitability of an applicant or volunteer. The information shall be confidential and any person who discloses the information beyond the scope allowed in this section [shall be subject to] **is guilty of** a class A misdemeanor. The patrol shall inform, in writing, the provider or youth services agency of the requirements of this subsection and the penalties [therein] **provided in this subsection** at the time it releases any information [under] **pursuant to** this section."; and

Further amend said bill, Page 22, Section 487.170, Line 4, by inserting after all of said line the following:

"**660.317. 1. For the purposes of this section, the term "provider" means any person, corporation or association who:**

(1) Is licensed as an operator pursuant to chapter 198, RSMo;

(2) Employs nurses or nursing assistants for temporary or intermittent placement in health care facilities;

(3) Is approved by the department of social services to issue certificates for nursing assistants training; or

(4) Is an entity licensed pursuant to chapter 197, RSMo.

2. For the purpose of this section "patient or resident" has the same meaning as such term is defined in section 43.540, RSMo.

3. Beginning August 28, 1996, within two working days of hiring any person for a full-time, part-time or temporary position that has contact with any patient or resident the provider shall, or in the case of temporary employees hired through an employment agency, the employment agency shall prior to sending a temporary employee to a provider:

(1) Request a fingerprint criminal records review check as provided in sections 43.530 and 43.540, RSMo; and

(2) Make an inquiry to the department of social services, whether the person is listed on the employee

disqualification list as provided in section 660.315.

4. When the provider requests a fingerprint criminal records review check pursuant to section 43.530, RSMo, the requesting entity shall pay a fee of not more than ten dollars per request for classification and search of fingerprints. For the purposes of this section "criminal history" includes any conviction or a plea of guilty to a misdemeanor or felony charge and shall include any suspended imposition of sentence, any suspended execution of sentence or any period of probation or parole.

5. An applicant for a position that has contact with patients or residents of a provider shall:

(1) Sign a consent form as required by section 43.540, RSMo, so the provider may request a criminal records review;

(2) Disclose the applicant's criminal history as defined in subsection 3 of this section; and

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 660.315.

6. A provider is guilty of a class A misdemeanor if the provider knowingly hires or continues to employ a person that has contact with patients or residents and the person has been convicted of, plead guilty to or nolo contendere in this state or any other state to any violent crime which is, or would be considered, a felony pursuant to the provisions of chapter 565, RSMo, or chapter 566, RSMo.".; and

Further amend title and enacting clause accordingly.

Representative Loudon raised a point of order that House Amendment No. 3 is not germane to the bill.

Representative Auer requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order untimely.

The Speaker resumed the Chair.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 001

Clayton

PRESENT: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Gross	Gunn	Hagan-Harrell	Hall
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Lograsso
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

ABSENT WITH LEAVE: 011

Bland	Bray 84	Farmer	Hand	Kissell
Liese	Linton	Long	O'Neill	Ribaudo

Ward

VACANCY: 001

HCS SS SS SB 488, with House Amendment No. 3 and HS, as amended, pending, was laid over.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HCS HB 991, as amended,** and that the conferees are allowed to exceed the differences on SA 7 only.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS HB 991: Representatives Koller, Bray, Van Zandt, Ostmann and Cooper

BILLS IN CONFERENCE

CCR SCS HS HCS HBs 1301 and 1298, as amended, relating to school safety, was taken up by Representative McLuckie.

Representative Scheve assumed the Chair.

The Speaker resumed the Chair.

On motion of Representative McLuckie, **CCR SCS HS HCS HBs 1301 and 1298, as amended**, was adopted by the following vote:

AYES: 102

Auer	Backer	Barry 100	Bonner	Boucher
Bray 84	Brown	Burton	Canuteson	Carter
Childers	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Franklin	Graham	Gratz
Green 123	Gross	Hagan-Harrell	Harlan	Hartzler
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Jacob	Kauffman	Kelly 27	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Luetkenhaus	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Ribaudo	Rizzo	Sallee	Scheve
Schilling 57	Sears 1	Shear 83	Sheldon 104	Shelton
Shields	Skaggs	Smith	Stokan	Stoll
Tate	Thomason 163	Thompson 37	Treadway	Van Zandt
Vogel	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 055

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Champion	Chrismer
Cierpiot	Daniel 42	Edwards-Pavia	Elliott	Enz
Evans	Foster	Froelker	Garnett	Gaskill
Gibbons	Goward	Griesheimer	Gunn	Hall
Hendrickson	Hohulin	Howerton	Kasten	Keeven
Kelley 47	Linton	Lograsso	Long	Loudon
Marble	Marshall 133	Naeger	Oetting	Pryor
Richardson	Ridgeway	Robirds	Ross	Schwab
Scott	Secrest	Sombart	Steen	Summers
Surface	Troupe	Wannenmacher	Whiteside	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 005

Bland	Hand	Kissell	O'Neill	Ward

VACANCY: 001

On motion of Representative McLuckie, **CCS SCS HS HCS HBs 1301 and 1298** was read the third time and passed by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 003

Daniel 42	Gunn	Troupe

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	Ford	Hand	Kissell	O'Neill

Ward

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Auer	Backer	Ballard	Barry 100	Bartelsmeyer
Bennett 15	Boatright	Bonner	Boucher	Bray 84
Broach	Brown	Burton	Canuteson	Carter
Childers	Chrismer	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniels 41	Davis	Days

Donovan	Dougherty	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Heckemeyer
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Kelly 27	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Long	Loudon	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Van Zandt	Wannenmacher	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 026

Akin	Alter	Barnett 4	Champion	Cierpiot
Daniel 42	Edwards-Pavia	Elliott	Gratz	Gunn
Hartzler 124	Hegeman	Hendrickson	Hohulin	Keeven
Kelley 47	Linton	Lograsso	Marble	Marshall 133
Sallee	Steen	Troupe	Vogel	Whiteside

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 007

Bland	Ford	Hand	Kissell	O'Connor
O'Neill	Ward			

VACANCY: 001

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

HS SB 757, as amended, relating to water pollution control bonds, was taken up by Representative Sears (1).

Representative Sears (1) moved that the House refuse to adopt in **CCR HS SB 757, as amended**, and request the Senate to recede from its position or, failing to do so, grant the House a further conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HS HCS HBs 1169 and 1271**, entitled:

An act to repeal sections 43.506, 82.1000, 302.060, 302.304, 302.309, 302.505, 302.510, 302.520, 302.530, 320.535, 302.540, 302.541, 479.020, 479.040, 479.500, 577.001, 577.012, 577.020, 577.021, 577.037, 577.039, 577.041, 577.049, 577.520 and 577.525, RSMo. 1994, and sections 302.010, 302.171, 302.302, 302.312 and 577.614, RSMo Supp. 1995, relating to operation of motor vehicles, and to enact in lieu thereof thirty-two new sections relating to the same subject.

With Senate Amendment Nos. 1, 2 and 3, Senate Substitute Amendment No. 2 for Senate Amendment No. 4

Senate Amendment No. 1

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos.

1169 and 1271, Page 12, Section 302.302, Line 41, by inserting immediately after the word "**offenses**" the following: "**however combined**"; and

Further amend said bill, Page 18, Section 302.309, Line 13, by deleting all of said line and inserting in lieu thereof the following: "circuit judges]. **Any application may be made in writing to the court or to the director**"; and

Further amend said bill, Page 19, Section 302.309, Line 57, by deleting immediately after the word "director" the opening bracket "["; and

Further amend said bill, Page 19, Section 302.309, Line 58, by deleting the words "him whenever he" and inserting in lieu thereof the following: "[him] **the driver** whenever [he] **such driver**"; and

Further amend said bill, Page 19, Section 302.309, Line 58, by deleting the following: "operates]**.**" and inserting in lieu thereof the following: "operates **a motor vehicle**."; and

Further amend said bill, Page 19, Section 302.309, Line 59, by inserting immediately after the word "**revenue**" the following: "**upon granting a limited driving privilege**"; and

Further amend said bill, Page 19, Section 302.309, Lines 74 through 75, by deleting the following: "**or who meets the following criteria**"; and

Further amend said bill, Page 45, Section 610.127, Line 10, by deleting the following: "**order.**" and inserting in lieu thereof the following: "**order. No records shall be expunged if the person was found guilty or pled guilty to operating a commercial motor vehicle, as defined in section 302.700, RSMo, with a blood alcohol content of at least four-hundredths of one percent.**"; and

Further amend said bill, Page 45, Section 610.127, Line 16, by deleting the following: "**RSMo;**" and inserting in lieu thereof the following: "**RSMo; or**; and

Further amend said bill, Page 45, Section 610.127, Line 18, by deleting the following: "**RSMo; or**" and inserting in lieu thereof the following: "**RSMo.**; and

Further amend said bill, Page 45, Section 610.127, Lines 19 through 21, by deleting all of said lines.

Senate Amendment No. 2

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1169 & 1271, Page 22, Section 302.505, Line 8 by striking the words "reasonable suspicion" and inserting in lieu thereof "**probable cause"**; and further amend said section, page 23, line 11, by striking the words "reasonable suspicion" and inserting in lieu thereof "**probable cause**"; and

Further amend said bill, page 39, section 577.039, line 9, by inserting immediately after the word "accident" the following:

"**or has been removed from the scene to receive medical treatment**"

Senate Amendment No. 3

AMEND Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1169 & 1271, Page 23, Section 302.505, Line 12 by inserting after the word "a" and before the word "county", "**state**"; and

Further amend same line by striking "alcohol related"

Seventy-sixth Day-Thursday, May 16, 1996

Senate Substitute Amendment No. 2

for

Senate Amendment No. 4

Amend Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill Nos. 1169 & 1271, Page 7, Section 302.010, Line 99 by striking the words "court approval" and inserting in lieu thereof the following: "**judicial review**"; and

Further amend said bill, pages 16-17, section 302.304, lines 106-107, by striking the words "or the court"; and

Further amend said bill, page 17, section 302.304, lines 108-119, by striking all of said lines and inserting in lieu thereof the following: "**program or upon good cause shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person**

may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court."; and

Further amend said bill, page 28, section 302.540, line 38, by striking the words "or the court"; and

Further amend said bill, pages 28-29, section 302.540, lines 40-50, by striking all of said lines and inserting in lieu thereof the following: "**shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.**"; and

Further amend said bill, page 36, section 577.001, lines 21-22, by striking the words "court approval" and inserting in lieu thereof the following: "**judicial review**"; and

Further amend said bill, page 41, section 577.041, line 70, by striking the words "or the court"; and

Further amend said bill, page 41, section 577.041, lines 72-83, by striking all of said lines and inserting in lieu thereof the following: "**upon good cause shown or the court may waive such requirement upon good cause shown. The court in making this determination shall consider the person's driving record, the circumstances surrounding the offense and the likelihood of the person committing a like offense in the future. Assignment recommendations, based upon the needs assessment as described in subdivision (21) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo, after reviewing such assessment. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Such assessment and compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HS HCS SS SCS SB 722, as amended** , and requests that the House recede from its position or failing to do so, grant the Senate a conference thereon.

THIRD READING OF SENATE BILL

HCS SS SS SB 488, with House Amendment No. 3 and HS, as amended, pending, relating to child care/domestic violence, was again taken up by Representative Dougherty.

Representatives Whiteside and May (108) offered House Substitute Amendment No. 1 for House Amendment No. 3.

House Substitute Amendment No. 1
for
House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Bill No. 488, section 174.770, by inserting before said section, the following:

43.530. For each request received by the central repository, as defined in subdivision (1) of section 43.500, the requesting entity shall pay a fee of not more than five dollars per request for criminal history record information and pay a fee of not more than [fourteen] **ten** dollars per request for classification and search of fingerprints**; except as provided in subsection 4 of section 660.317, RSMo**. Each such request shall be limited to check and search on one individual. Each request shall be accompanied by a check, warrant, voucher, or money order

payable to the state of Missouri-criminal record system. There is hereby established by the treasurer of the state of Missouri a fund to be entitled as the "Criminal Record System Fund". Notwithstanding the provisions of section 33.080, RSMo, to the contrary, if the moneys collected and deposited into this fund are not totally expended annually for the purposes set forth in section 43.527, the unexpended moneys in such fund shall remain in the fund and the balance shall be kept in the fund to accumulate from year to year.

43.540. 1. As used in this section, the following terms mean:

(1) "Criminal record review", a request to the highway patrol for information concerning any criminal history record for a felony or misdemeanor;

(2) "Patient or resident", a person who by reason of aging, illness, disease or physical or mental infirmity receives or requires care or services furnished by a provider, as defined in this section, or who resides or boards in, or is otherwise kept, cared for, treated or accommodated in a facility as defined in section 198.006, RSMo, for a period exceeding twenty- four consecutive hours;

[(2)] **(3)** "Patrol", the Missouri state highway patrol;

[(3)] **(4)** "Provider", any licensed day care home, licensed day care center, licensed child placing agency, licensed residential care facility for children, licensed group home, licensed foster family group home, [or] licensed foster family home**, any operator licensed pursuant to chapter 198, RSMo, any employer of nurses or nursing assistants for temporary or intermittent placement in health care facilities, any person approved by the department of social services to issue certificates for nursing assistants training or any entity licensed pursuant to chapter 197, RSMo**;

[(4)] **(5)** "Youth services agency", any public or private agency, school, or association which provides programs, care or treatment for or which exercises supervision over minors.

2. Upon receipt of a written request from a **private investigatory agency, a** youth service agency or a provider, with the written consent of the applicant, the highway patrol shall conduct a criminal record review of an applicant for a paid [or voluntary] position with the agency or provider if such position would place the applicant in [direct] contact with minors**, or, patients or residents as defined in subsection 1 of this section**.

3. Any request for information made pursuant to the provisions of this section shall be on a form provided by the highway patrol and shall be signed by the person who is the subject of the request.

4. **Pursuant to sections 43.507 and 610.120, RSMo,** the patrol shall respond in writing to the youth service agency or provider making a request for information [under] **pursuant to** this section and shall inform such youth service agency or provider of the nature of the offense, and the date, place and court. Notwithstanding any other provision of law to the contrary, the youth service agency or provider making such request shall have access to all records of arrests resulting in an adjudication where the applicant was found guilty or entered a plea of guilty or nolo contendere in a prosecution [under] **pursuant to chapter 565, RSMo, or** sections 566.010 to 566.141, RSMo, or under the laws of any state or the United States for offenses described in sections 566.010 to 566.141**, RSMo, or chapter 565**, RSMo, during the period of any probation imposed by the sentencing court.

5. Any information received by a provider or a youth services agency [under] **pursuant to** this section shall be used solely for the [providers] **provider's** or youth service [agencies'] **agency's** internal purposes in determining the suitability of an applicant or volunteer. The information shall be confidential and any person who discloses the information beyond the scope allowed in this section [shall be subject to] **is guilty of** a class A misdemeanor. The patrol shall inform, in writing, the provider or youth services agency of the requirements of this subsection and the penalties [therein] **provided in this subsection** at the time it releases any information [under] **pursuant to** this section."; and

Further amend said bill, Page 22, Section 487.170, Line 4, by inserting after all of said line the following:

"**660.317. 1. For the purposes of this section, the term "provider" means any person, corporation or association who:**

(1) Is licensed as an operator pursuant to chapter 198, RSMo;

(2) Employs nurses or nursing assistants for temporary or intermittent placement in health care facilities;

(3) Is approved by the department of social services to issue certificates for nursing assistants training; or

(4) Is an entity licensed pursuant to chapter 197, RSMo.

2. For the purpose of this section "patient or resident" has the same meaning as such term is defined in section 43.540, RSMo.

3. Beginning August 28, 1996, within two working days of hiring any person for a full-time, part-time or temporary position that has contact with any patient or resident the provider shall, or in the case of temporary employees hired through an employment agency, the employment agency shall prior to sending a temporary employee to a provider:

(1) Request a fingerprint criminal records review check as provided in sections 43.530 and 43.540, RSMo; and

(2) Make an inquiry to the department of social services, whether the person is listed on the employee disqualification list as provided in section 660.315.

4. When the provider requests a fingerprint criminal records review check pursuant to section 43.530, RSMo, the requesting entity shall pay a fee of not more than ten dollars per request for classification and search of fingerprints. The requestor entity may pass the fee on to the applicant. For the purposes of this section "criminal history" includes any conviction or a plea of guilty to a misdemeanor or felony charge and shall include any suspended imposition of sentence, any suspended execution of sentence or any period of probation or parole.

5. An applicant for a position that has contact with patients or residents of a provider shall:

(1) Sign a consent form as required by section 43.540, RSMo, so the provider may request a criminal records review;

(2) Disclose the applicant's criminal history as defined in subsection 3 of this section; and

(3) Disclose if the applicant is listed on the employee disqualification list as provided in section 660.315.

6. A provider is guilty of a class A misdemeanor if the provider knowingly hires or continues to employ a person that has contact with patients or residents and the person has been convicted of, plead guilty to or nolo contendere in this state or any other state to any A or B felony violation of RSMo Chapters 565, 566 or 569.; and

Further amend title and enacting clause accordingly.

On motion of Representatives Whiteside and May (108), House Substitute Amendment No. 1 for House Amendment No. 3 was adopted.

Representative Gaskill offered House Amendment No. 4.

House Amendment No. 4

Amend House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Bill 488, page 22, section 487.170, by inserting after said section, the following:

"630.710. 1. The standards contained in the rules shall particularly provide for the following:

(1) Admission and commitment criteria, which shall be based upon diagnoses;

(2) Care, treatment, habilitation or rehabilitation;

(3) General medical and health care;

(4) Adequate physical plant facilities, including fire safety, housekeeping and maintenance standards;

(5) Food service facilities;

(6) Safety precautions;

(7) Drugs and medications;

(8) Uniform system of recordkeeping;

(9) Resident or client rights and grievance procedures;

(10) Adequate staff.

2. The rules shall require a criminal record review from the highway patrol for all staff in the residential facility and day program who have unsupervised contact with persons affected by a mental disorder, mental illness, mental retardation or a developmental disability.

[2] **3**. The rules containing the standards for living units within facilities or homes shall provide for such classifications

of the living units as are small enough to insure programs based upon the personal needs of the resident as determined by

individualized habilitation or treatment plans. The units may include distinct parts of other facilities such as wards, wings

or floors."; and

Amend title and enacting clause accordingly.

On motion of Representative Gaskill, House Amendment No. 4 was adopted.

Representative Ostmann offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Substitute for Senate Bill No. 488, page 1, by deleting all of sections 174.770, 174.773, 174.776, 174.779, 174.781, 174.783 and 174.785 and amend the title and enacting clause accordingly.

Representative Dougherty raised a point of order that House Amendment No. 5 is amending previously amended material.

The Chair ruled the point of order not well taken.

On motion of Representative Ostmann, House Amendment No. 5 was adopted.

On motion of Representative Dougherty, **HS HCS SS SS SB 488, as amended,** was adopted.

Representative Richardson moved that **HS HCS SS SS SB 488, as amended,** be referred to Budget Committee.

Which motion was adopted by the following vote:

AYES: 087

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Burton	Canuteson
Champion	Childers	Chrismer	Cierpiot	Cooper
Copeland	Crum 112	Daniel 42	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Ford
Foster	Froelker	Gibbons	Graham	Gratz
Griesheimer	Gross	Hall	Hartzler 124	Hegeman
Hendrickson	Hohulin	Hoppe	Hosmer	Howerton
Kauffman	Kelley 47	Lakin	Legan	Levin
Linton	Lograsso	Long	Loudon	Lumpe
Marble	Monaco	Montgomery	Morgan	Murphy
Murray 135	Naeger	Nordwald	Oetting	Ostmann
Pouche	Pryor	Richardson	Ridgeway	Robirds
Ross	Sallee	Schilling	Schwab	Scott
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Smith	Sombart	Steen	Summers	Surface
Thomason 163	Van Zandt	Vogel	Wannenmacher	Wieland
Wiggins	Wooten			

NOES: 059

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Brown	Carter	Clayton
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Farmer	Fitzwater	Foley	Franklin
Garnett	Gaskill	Goward	Green	Hagan-Harrell
Harlan	Hartzler 123	Heckemeyer	Kasten	Kelly 27
Klumb	Koller	Kreider	Leake	Luetkenhaus
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Murray 69	O'Connor	O'Toole	Overschmidt
Relford	Reynolds	Scheve	Sears 1	Skaggs
Stokan	Tate	Thompson 37	Treadway	Whiteside
Williams 121	Williams 159	Witt	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 016

Gunn	Hand	Hickey	Jacob	Keeven
Kissell	Liese	Marshall 133	O'Neill	Pauley
Prost	Ribaudo	Rizzo	Stoll	Troupe

Ward

VACANCY: 001

BILL IN CONFERENCE

CCR HB 1098, relating to cigarette/tobacco tax, was taken up by Representative Goward.

On motion of Representative Goward, **CCR HB 1098, as amended,** was adopted by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Howerton	Kasten	Kauffman
Kelley 47	Kelly 27	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Van Zandt	Vogel	Wannenmacher	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Gunn	Hand	Hosmer	Jacob	Keeven
Kissell	Liese	Marshall 133	O'Neill	Pauley
Prost	Ribaudo	Steen	Thompson 37	Troupe
Ward	Whiteside			

VACANCY: 001

On motion of Representative Goward, **CCS HB 1098** was read the third time and passed by the following vote:

AYES: 147

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Howerton	Kasten	Kauffman	Kelley 47
Kelly 27	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan

Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Van Zandt	Vogel	Wannenmacher
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Dougherty	Gunn	Hand	Hosmer	Jacob
Keeven	Kissell	Liese	O'Neill	Pauley
Prost	Ribaudo	Troupe	Ward	Whiteside

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Morgan, title to the bill was agreed to.

Representative Treadway moved that the vote by which the bill passed be reconsidered.

Representative Stoll moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Leake moved that the House refuse to adopt **SS HB 1432** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Days (71) moved that the House refuse to adopt **SCS HCS HBs 1557 and 1489, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Williams (121) moved that the House request that the Senate recede from its position on **SCS HS HCS HBs 1169 and 1271, as amended**, and failing to do so grant the House a conference and allow the conferees to exceed the differences in order that the conferees can adopt a conference commitee report that would be consistent with the conference committee report for **HS HCS SS SCS SB 722**.

Which motion was adopted.

Representative Hosmer moved that the House refuse to recede from its position on **HS HCS SS SCS SB 722, as amended,** and grant the Senate a conference, and allow the conferees to exceed the differences in order that the conferees can adopt a conference committee report that would be consistent with the conference committe report for **SCS HS HCS HBs 1169 and 1271**.

Which motion was adopted.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS HCS SS SCS SB 722: Representatives Hosmer, Smith, Williams (121), Edwards-Pavia and Sallee

THIRD READING OF SENATE BILL

HCS SS SCS SB 869, relating to court administration, was taken up by Representative Witt.

Representative Witt offered **HS HCS SS SCS SB 869**.

Representative Edwards-Pavia raised a point of order that **HS HCS SS SCS SB 869** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Witt offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, page 147, Section 514.015, Lines 7 through 22 by deleting all of said lines, and on Page 148, by deleting lines 1 through 6, and by inserting in lieu thereof the following:

"**(3) Upon notification to the party from whom the court cost is due, and upon failure to pay the fee after such notice, the court may inform the office of administration of any delinquencies in excess of twenty-five dollars. Upon receiving such notice, and without further notice by the office of administration to the defaulting party, the office of administration shall deduct the amount of unpaid court costs from any state check due to the defaulting party under any provision of law. The office of administration shall transmit the amount set off to the court, and shall send the excess amount to the payee, with a notice that the remainder of the refund was transmitted to the court in satisfaction of all or part of the unpaid court costs. The office of administration and its officials and employees shall not be liable to any person for any action taken in accordance with the requirements of this subdivision. Any proceeding contesting any action taken by a court or the office of administration pursuant to this subdivision shall be brought in the court which certified such unpaid fees to the office of administration, and shall be deemed ancillary to the proceeding for which such unpaid fees were assessed. No appearance, responsive pleading or discovery shall be due from the office of administration in such proceeding except upon order of the court;**"

On motion of Representative Witt, House Amendment No. 1 was adopted.

Representative Smith offered House Amendment No. 2.

House Amendment No. 2

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, Page 1, In the Title, Line 18 of said title, by inserting immediately after the number "561.035," the number "575.130"; and

Further amend said bill, Page 2, In the Title, Line 25 of said title, by deleting the word "eighty-six" and inserting in lieu thereof the word "ninety-four"; and

Further amend said bill, Page 2, In the Title, Line 26 of said title, by inserting immediately after the word "provisions" the following: ", an emergency clause for certain sections,"; and

Further amend said bill, Page 166, Section 10, Line 1 of said page, by inserting after all of said line the following:

"Section D. Section 575.130, RSMo 1994, is repealed and eight new sections enacted in lieu thereof, to be known as sections 575.130, 1, 2, 3, 4, 5, 6 and 7, to read as follows:

575.130. 1. A person commits the crime of simulating legal process if, with purpose to mislead the recipient and cause him to take action in reliance thereon, he delivers or causes to be delivered:

(1) A request for the payment of money on behalf of any creditor that in form and substance simulates any legal process issued by any court of this state; or

(2) Any purported summons, subpoena or other legal process knowing that the process was not issued or authorized by any court.

2. This section shall not apply to a subpoena properly issued by a notary public.

3. Simulating legal process is a class B misdemeanor.

4. No person shall file a nonconsensual common law lien as defined in section 1 of this act.

5. A violation of subsection 4 of this section is a class B misdemeanor.

6. Subsection 4 of this section shall not apply to a filing officer as defined in section 1 of this act that is acting in the scope of employment.

Section 1. 1. For the purposes of sections 1 to 7 of this act:

(1) "Court" is the United States Supreme Court, Federal Courts of Appeal, Federal District Courts, Federal Magistrates, Federal Administrative Courts, Missouri supreme court, Missouri courts of appeal, Missouri circuit courts, and Missouri associate circuit courts but shall not include municipal courts;

(2) "Filing officer" is the secretary of state, the recorder of deeds of any county, the circuit clerk of any county or

any public official or authorized employee required by law to accept for filing and keep as a public record any lien, deed, instrument, judgment or other document, whether in paper, electronic or other form, required to be filed or recorded under the laws of this state;

(3) "Nonconsensual common law lien" is a document that purports to assert a lien against the assets, real or personal, of any person and that, regardless of any self-description:

(a) Is not expressly provided for by a specific state or federal statute;

(b) Does not depend upon the consent of the owner of the property affected or the existence of a contract for its existence; and

(c) Is not an equitable or constructive lien imposed by a state or federal court of competent jurisdiction.

2. Nothing in sections 1 to 7 of this act shall be construed to create a lien or interest in property not otherwise existing under state or federal law.

3. Nothing in sections 1 to 7 of this act shall be construed to permit a municipal court to create a lien or interest in property not otherwise existing under state or federal law.

Section 2. 1. Any filing officer may reject for filing or recording any nonconsensual common law lien. This section shall not be construed to permit rejection of a document that is shown to be authorized by contract, lease or statute or imposed by a state or federal court of competent jurisdiction or filed by a licensed attorney, a financial institution including, but not limited to, any commercial bank, savings and loan association or credit union or a Missouri state licensed mortgage company or mortgage broker.

2. If a nonconsensual common law lien has been accepted for filing, the filing officer shall accept for filing a sworn notice of invalid lien on a form provided by the filing officer signed and submitted by the person against whom such lien was filed or such person's attorney. The form shall be captioned "Notice of Invalid Lien" and shall state the name and address of the person on whose behalf such notice is filed, the name and address of the lien claimant and a clear reference to the document or documents the person believes constitute a nonconsensual common law lien. A copy of the notice of invalid lien shall be mailed by the filing officer to the lien claimant at the lien claimant's last known address within one business day. No filing officer, county or the state shall be liable for the acceptance for filing of a nonconsensual common law lien, nor for the acceptance for filing of a sworn notice of invalid lien pursuant to this subsection.

Section 3. Any person who attempts to file a lien against real or personal property that is rejected pursuant to subsection 1 of section 2 of this act may petition the circuit court of the county of the filing officer that rejected such lien for an order, which may be granted ex parte, directing the filing officer to file or record the lien pending a hearing on whether the lien constitutes a nonconsensual common law lien. The lien claimant shall appear before the court as the petitioner within ten business days following the date of service of the petition and order on the filing officer, and show cause, if any, why the lien should not be declared void and other relief provided for by section 5 of this act should not be granted. The petition shall state the grounds upon which relief is requested, and shall be supported by the affidavit of the petitioner or the petitioner's attorney setting forth a concise statement of the facts upon which the claim for relief is based.

Section 4. Any person who has real or personal property or an interest therein, which is subject to a recorded nonconsensual common law lien who believes such lien is invalid may petition the circuit court of the county in which the lien has been recorded or filed for an order, which may be granted ex parte, directing the lien claimant to appear before the court within ten business days following the date of service of the petition and order on the lien claimant, and show cause, if any, why the claim of lien should not be declared void and other relief provided for by section 5 of this act should not be granted. The petition shall state the grounds upon which relief is requested, and shall be supported by the affidavit of the petitioner or the petitioner's attorney setting forth a concise statement of the facts upon which the claim for relief is based.

Section 5. 1. Any order rendered pursuant to section 3 or 4 of this act shall clearly state that if the lien claimant fails to appear at the time and place noted, the claim of lien shall be declared void ab initio and released and that the lien claimant shall be ordered to pay the costs incurred by any other party to the proceeding, including reasonable attorney's fees.

2. If, following a hearing on the matter, the court determines that the document at issue is a nonconsensual common law lien, the court shall issue an order declaring the lien void ab initio, releasing the lien and awarding costs and reasonable attorney's fees to the prevailing party.

3. If the court determines that the claim of lien is valid, the court shall issue an order so stating and may award costs and reasonable attorney's fees to the prevailing party.

4. A certified copy of any order rendered pursuant to this section shall be filed by the circuit clerk in the office of the appropriate filing officer.

Section 6. Filing officers and any employees thereof, acting in the scope of employment, shall not be liable for damages pursuant to sections 1 to 5 of this act and, except as otherwise provided by law, shall not be required to defend decisions to accept or reject any documents.

Section 7. Any person who records or files in the office of a filing officer:

(1) Any document purporting to create a nonconsensual common law lien against real or personal property; or

(2) A notice of invalid lien pursuant to subsection 2 of section 2 of this act with respect to a valid lien and which the filer knew to be false at the time of filing;

shall be liable to the damaged party for actual damages or five thousand dollars, whichever is greater plus costs and reasonable attorney's fees.

Section E. Because immediate action is necessary to prevent injustice, section D of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section D of this act shall be in full force and effect upon its passage and approval.".

On motion of Representative Smith, House Amendment No. 2 was adopted.

Representative Green offered House Amendment No. 3.

House Amendment No. 3 was withdrawn.

Representative Overschmidt offered House Amendment No. 3.

Representative Loudon raised a point of order that House Amendment No. 3 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative McBride offered House Amendment No. 3.

Representative Wannenmacher raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Kreider offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, Page 1, In the Title, Line 7, by inserting after the figure "455.205," the following: "473.233,"; and

Further amend said bill, Page 2, In the Title, Line 25, by deleting the word "eighty-six" and inserting in lieu thereof the following: "eighty-seven"; and

Further amend said bill, Page 111, Section C, Line 16 of said page, by inserting after the figure "208.215," the following: "473.233,"; and

Further amend said bill, Page 111, Section C, Line 18 of said page, by deleting the word "twenty-four" and inserting in lieu thereof the following: "twenty-five"; and

Further amend said bill, Page 111, Section C, Line 19 of said page, by inserting after the figure "208.220," the following: "473.233,"; and

Further amend said bill, Page 127, Section 208.220, Line 1 of said page, by inserting after all of said line the following:

"473.233. 1. Within thirty days after letters are granted, unless a longer time is granted by the court, the personal representative shall make and return an inventory and appraisement, in one written instrument, of all of the property of the decedent, including exempt property, which comes to his possession or knowledge, a statement of all encumbrances, liens, and other charges on any item, and all other property possessed by decedent at the time of his death. The property shall be classified therein as follows:

(1) Real property, with plat or survey description **and the street address or approximate direction and distance from any city or town, and the popular name thereof, if any**;

(2) Furniture, household goods, and wearing apparel, but no detailed appraisement or listing of the items thereof is

required;

(3) Corporate stocks described by name, number of shares, class of stock;

(4) Mortgages, bonds, notes, and other written evidences of debt, together with interest due thereon, described by name of debtor, recording data, and other identification;

(5) Bank accounts, insurance policies payable to the personal representative, and money;

(6) All other personal property accurately identified, including a statement of the decedent's proportionate share in any partnership and of its net value as shown in the inventory required by section 473.220. No detailed appraisement or listing of the assets of the partnership property is required in the inventory filed by the personal representative;

(7) All property possessed but not owned by the decedent at his death shall be listed in the inventory, but separately from other property, together with a statement as to the knowledge of the personal representative as to its ownership.

2. At any time when it appears necessary, the judge or clerk may authorize the personal representative to employ a qualified and disinterested appraiser to assist him in ascertaining the fair market value, as of the date of the decedent's death, of any asset the value of which may be subject to reasonable doubt. Different persons may be employed to appraise different kinds of assets included in the estate. The name and address of any appraiser shall be indicated on the inventory with the item or items he appraised.".

Representative Wannenmacher raised a point of order that House Amendment No. 3 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Kreider, House Amendment No. 3 was adopted.

Representative Dougherty offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, Page 22, Section 57.955, Line 5 of said page, by inserting after the following: "**court**." the following: "**For purposes of this section, the term "county ordinance" shall not include any ordinance of the city of St. Louis.**"; and

Further amend said bill, Page 23, Section 67.133, Line 19 of said page, by inserting after the following: "court." the following: "**For purposes of this section, the term "county ordinance" shall not include any ordinance of the city of St. Louis.**".

On motion of Representative Dougherty, House Amendment No. 4 was adopted.

Representative Dougherty offered House Amendment No. 5.

House Amendment No. 5 was withdrawn.

Representative Prost offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, Page 1, In the Title, Line 8 of said title, by inserting immediately after the number "478.463," the number "479.020,"; and

Further amend said bill, Page 2, In the Title, Line 25 of said title, by deleting the word "eighty-six" and inserting in lieu thereof the word "eighty-seven"; and

Further amend said bill, Page 111, Section C, Line 16 of said page, by inserting immediately after the number "478.463," the number "479.020"; and

Further amend said bill, Page 111, Section C, Line 18 of said page, by deleting the word "twenty-four" and inserting in lieu thereof the word "twenty-five"; and

Further amend said bill, Page 111, Section C, Line 20 of said page, by inserting immediately after the number "478.463," the number "479.020,"; and

Further amend said bill, Page 129, Section 478.463, Line 18 of said page, by inserting after all of said line the following:

"479.020. 1. Any city, town or village, including those operating under a constitutional or special charter, may, and cities with a population of four hundred thousand or more shall, provide by ordinance or charter for the selection, tenure and compensation of a municipal judge or judges consistent with the provisions of this chapter who shall have original jurisdiction to hear and determine all violations against the ordinances of the municipality. The method of selection of municipal judges shall be provided by charter or ordinance. Each municipal judge shall be selected for a term of not less than two years as provided by charter or ordinance.

2. Except where prohibited by charter or ordinance, the municipal judge may be a part-time judge and may

serve as municipal judge in more than one municipality.

3. No person shall serve as a municipal judge of any municipality with a population of seven thousand five hundred or more or of any municipality in a county of the first class with a charter form of government unless [he be] **the person is** licensed to practice law in this state unless, prior to January 2, 1979, [he] **such person** has served as municipal judge of that same municipality for at least three years.

4. Notwithstanding any other statute, a municipal judge need not be a resident of the municipality or of the circuit in which [he] **the municipal judge** serves except where ordinance or charter provides otherwise. Municipal judges shall be residents of Missouri.

5. Judges selected under the provisions of this section shall be municipal judges of the circuit court and shall be divisions of the circuit court of the circuit in which the municipality, or major geographical portion thereof, is located. The judges of these municipal divisions shall be subject to the rules of the circuit court which are not inconsistent with the rules of the supreme court. The presiding judge of the circuit shall have general administrative authority over the judges and court personnel of the municipal divisions within the circuit. Notwithstanding the foregoing provisions of this subsection, in any city with a population of over four hundred thousand with full-time municipal judges who are subject to a plan of merit selection and retention, such municipal judges and court personnel of the municipal divisions shall not be subject to court management and case docketing in the municipal divisions by the presiding judge or the rules of the circuit court of which the municipal divisions are a part.

6. No municipal judge shall hold any other office in the municipality which [he] **the municipal judge** serves as judge. The compensation of any municipal judge and other court personnel shall not be dependent in any way upon the number of cases tried, the number of guilty verdicts reached or the amount of fines imposed or collected.

7. Municipal judges shall be at least twenty-one years of age. No person shall serve as municipal judge after [he] **that person** has reached [his seventieth] **that person's seventy- fifth** birthday.

8. Within six months after selection for the position, each municipal judge who is not licensed to practice law in this state shall satisfactorily complete the course of instruction for municipal judges prescribed by the supreme court. The state courts administrator shall certify to the supreme court the names of those judges who satisfactorily complete the prescribed course. If a municipal judge fails to complete satisfactorily the prescribed course within six months after [his] **the municipal judge's** selection as municipal judge, [his] **the municipal judge's** office shall be deemed vacant and such person shall not thereafter be permitted to serve as a municipal judge, nor shall any compensation thereafter be paid to such person for serving as municipal judge.".

Representative Smith raised a point of order that House Amendment No. 5 goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Prost, House Amendment No. 5 was adopted by the following vote:

AYES: 114

Akin	Alter	Ballard	Barnett 4	Barry 100
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Dougherty	Elliott	Farnen	Fiebelman
Fitzwater	Foley	Franklin	Garnett	Gibbons
Goward	Graham	Green	Griesheimer	Gross
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kelley 47	Kelly 27
Klumb	Koller	Kreider	Lakin	Legan
Levin	Linton	Long	Loudon	Luetkenhaus
Lumpe	Marble	May 108	Mays 50	McBride
McClelland	Monaco	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Ribaudo	Robirds	Ross	Sallee	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Van Zandt	Vogel	Whiteside
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 028

Backer	Bartelsmeyer	Bland	Daniel 42	Edwards-Pavia
Enz	Evans	Ford	Foster	Froelker
Gaskill	Gratz	Hagan-Harrell	Kauffman	Lograsso
Marshall 26	Marshall 133	Montgomery	Murphy	Relford
Reynolds	Richardson	Ridgeway	Smith	Sombart
Wannenmacher	Wieland	Wiggins		

PRESENT: 000

ABSENT WITH LEAVE: 020

Auer	Bennett 15	Donovan	Farmer	Gunn
Hand	Jacob	Keeven	Kissell	Leake
Liese	McLuckie	O'Neill	Pauley	Rizzo
Scheve	Steen	Troupe	Ward	Williams 121

VACANCY: 001

Representative Akin offered House Amendment No. 6.

Representative Edwards-Pavia raised a point of order that House Amendment No. 6 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

HCS SS SCS SB 869, with HS, as amended, pending, was laid over.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HJR 58**, entitled:

Joint resolution submitting to the qualified voters of Missouri, and amendment repealing section 27 (a) of article IV of the Constitution of Missouri, relating to certain funds in the state treasury and adopting two new section in lieu thereof relating to the same subject.

With Senate Amendment No. 1 to Senate Committee Amendment No. 1 and Senate Committee Amendment No. 1, as amended.

Senate Amendment No. 1
to
Senate Committee Amendment No. 1

AMEND Senate Committee Amendment No. 1 to House Joint Resolution No. 58, Page 954 of the journal for May 2, 1996, column two, line 14 by deleting the word "first" on said line and inserting in lieu thereof the word "second"

Senate Committee Amendment No. 1

AMEND House Joint Resolution No. 58, page 2, section 27 (a), line 18, by striking the words "other recipient" and inserting in lieu thereof the following: "**any other state**"; and further on line 38, by inserting immediately after the word "the" as it first appears on said line, the word "**net**"; and further on line 45, by inserting immediately after the word "the" the word "**net**"; and

Further amend said bill, page 3, section 27(c), line 2, by inserting immediately after the word "program" the following: "**and emergency**"; and further on line 6, by inserting immediately after the word "the" as it first appears on said line, the following: "**budget stabilization**"; and further on line 33, by inserting immediately after the word "appropriation" the following: "**and by a two-thirds vote of the members elected to each house,**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SB 572, as amended**, and has taken up and passed **CCS HCS SB 572**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **HS SB 757, as amended**.

RE-APPOINTMENT OF CONFEREES

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HS SB 757: Representatives Sears (1), Leake, Wiggins, Summers and Howerton

Seventy-sixth Day-Thursday, May 16, 1996

CONFERENCE COMMITTEE REPORT

FOR CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE #2
FOR HOUSE BILL NO. 809

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on Senate Substitute #2 for House Bill No. 809, with SA 1 and 2; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute #2 for House Bill No. 809, with SA 1 and 2.

2. That the House recede from its position on House Bill No. 809.

3. That the attached Conference Committee Substitute for Senate Substitute #2 for House Bill No. 809, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Charlie W. Shields	/s/ Sidney Johnson
/s/ Phil Tate	/s/ Edward W. Quick
/s/ Scott B. Lakin	/s/ Bill McKenna
/s/ Joan Barry	/s/ Emory Melton
/s/ Patrick A. Naeger	/s/ Marvin Singleton

CONFERENCE COMMITTEE REPORT
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 572

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on House Committee Substitute for Senate Bill No. 572, with HA 1, and HSA 1/HA 2, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Bill No. 572.

2. That the House recede from its position on House Committee Substitute for Senate Bill No. 572, with HA 1, and HSA 1/HA 2.

3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 572 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Annette N. Morgan	/s/ Joe Moseley
/s/ Steve Stoll	/s/ Morris Westfall
/s/ Richard Franklin	/s/ Roseann Bentley
/s/ Linda Bartelsmeyer	/s/ Sidney Johnson
/s/ Emmy McClelland	Ted House

CONFERENCE COMMITTEE REPORT NO. 3
ON HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 991

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for House Bill No. 991, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Committee Amendment No. 1, Senate Committee Amendment No. 2, Senate Amendment No. 1, Senate Amendment No. 6, and Senate Amendment No. 15 to House Committee Substitute for House Bill No. 991;

2. That the Senate recede from its position on Senate Committee Amendment No. 3, Senate Committee Amendment No. 4, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 7, Senate Amendment No. 11, Senate Amendment No. 12, Senate Amendment No. 13, and Senate Amendment No. 14 for House Committee Substitute for House Bill No. 991;

3. That the attached Conference Committee Amendment No. 1 be adopted for House Committee Substitute for House Bill No. 991;

4. That House Committee Substitute for House Bill No. 991 with Senate Committee Amendment No. 1, Senate

Committee Amendment No. 2, Senate Amendment No. 1, Senate Amendment No. 6, Senate Amendment No. 15 and Conference Committee Amendment No. 1 be truly agreed and finally passed.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Don Koller	/s/ Danny Staples
/s/ Joan Bray	/s/ Bill McKenna
/s/ Tim Van Zandt	/s/ Betty Sims
/s/ Bonnie Sue Cooper	/s/ Morris Westfall

/s/ Cindy Ostmann

Conference Committee Amendment No. 1

AMEND House Committee Substitute for House Bill No. 991, Page 1, In the Title, Line 3, by deleting the word "sixteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "sixteen" and inserting in lieu thereof the word "seventeen"; and

Further amend said bill, Page 1, Section A, Line 3, by deleting the following: "11 and 12" and inserting in lieu thereof the following: "11, 12 and 13"; and

Further amend said bill, Page 9, Section 12, Line 10, by inserting immediately after said line the following:

"**Section 13. 1. The department of highways and transportation shall not accept any bid for a highway project with an estimated cost in excess of two million dollars received from a contractor which has performed no work for the department during the preceding five years unless the department determines the contractor making such bid satisfies the provisions of subsections 2 and 3 of this section.**

2. For the purposes of determining the qualifications of contractors governed by subsection 1 of this section, the department of highways and transportation shall promulgate rules and regulations which determine said contractor's minimum qualifications necessary for the contractor's bid to be acceptable for a highway project in excess of two million dollars. The minimum qualifications shall determine the types of work and the maximum amount of work on which a contractor may submit a bid. The minimum qualifications shall be in regards to, but are not limited to, the following:

(1) The contractor's experience in performing the type of work project to be bid, including the construction experience of personnel necessary for the project;

(2) The contractor's ability to complete the work project to the satisfaction of the department and in a timely manner, including a listing of previous completed projects similar to the work project;

(3) The types of work the contractor is qualified to perform;

(4) The contractor's insurance coverage, including comprehensive general liability, worker's compensation and automobile coverage;

(5) The contractor's designation of a Missouri resident as its agent for the receipt of legal process; and

(6) The contractor's listing of all current projects in progress, including the value of projects not yet completed and their completion dates;

(7) The equipment the contractor has available for the project which includes a list of the specific equipment available for the project;

(8) Where practical, the contractor's bonding company shall provide records of its most recent audit.

3. Any contractor which has performed no work for the department during the preceding five years and is making a bid for a project with an estimated cost in excess of two million dollars shall provide information to the department necessary for a determination of minimum qualifications pursuant to subsection 2 of this section.

4. All information submitted by a contractor to the department relevant to a determination of minimum qualifications and all information used by the department to determine said contractor's qualifications shall be protected from disclosure pursuant to the provisions of section 610.021, RSMo.

5. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.".

MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

May 16, 1996

State of Missouri

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

SECOND REGULAR SESSION

88TH GENERAL ASSEMBLY

STATE OF MISSOURI

Herewith I return to you House Bill No. 1473 entitled:

"AN ACT"

To repeal section 334.040, as enacted by house bill no. 590 in the eighty-seventh general assembly and section 334.046, RSMo 1994, relating to physicians and surgeons, and to enact in lieu thereof one new section relating to the same subject, with an emergency clause.

On May 16, 1996, I approved said House Bill No. 1473.

Respectfully submitted

/s/ Mel Carnahan

Governor

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Seventy-fifth Day, Wednesday, May 15, 1996, by deleting line 8-14 and inserting in lieu thereof the following:

House Amendment No. 2

AMEND Senate Committee Substitute for Senate Bill No. 719, page 8, section 473.747, lines 6-10 by deleting all of said lines in said section;

And further amend said bill, pages 8 and 9, section 475.050, lines 3 and 4 by deleting the words "**in the following order**";

And further amend said bill, page 9, section 475.050, lines 15 and 16 by deleting the words "**Whenever it is in the interest of the incapacitated or disabled person,**";

And further amend said bill by amending the title and enacting clause accordingly.

Page 4, roll call, by showing Representative Franklin voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representatives Bennett (15) and Sallee voting "aye" rather than "absent with leave".

Pages 6 and 7, roll call, by showing Representative Reynolds voting "aye" rather than "absent with leave".

Page 9, roll call, by showing Representatives Relford, Brown and Froelker voting "aye" rather than "absent with leave".

Pages 10 and 11, roll call, by showing Representative Gunn voting "no" rather than "absent with leave".

Pages 16 and 17, roll call, by showing Representative Ross voting "no" rather than "absent with leave".

Page 18, roll call, by showing Representative O'Connor voting "aye" rather than "absent with leave".

Pages 19 and 20, roll call, by showing Representatives Shields and May (108) voting "aye" rather than "absent with leave".

Page 24, roll call, by showing Representatives Kelly (27), Hoppe and Bland voting "no" rather than "absent with leave".

Pages 25 and 26, roll call, by showing Representatives Kelly (27) and May (108) voting "aye" rather than "absent with leave".

Pages 25 and 26, roll call, by showing Representative Hoppe voting "no" rather than "absent with leave".

Page 26, roll call, by showing Representatives May (108) and Barnett (4) voting "aye" rather than "absent with

leave".

Page 28, roll call, by showing Representative Brown voting "aye" rather than "absent with leave".

Page 82, roll call, by showing Representatives Monaco and Gunn voting "aye" rather than "absent with leave".

Pages 83 and 84, roll call, by showing Representative Kelly (27) voting "no" rather than "absent with leave".

Page 84, roll call, by showing Representative Kelly (27) voting "aye" rather than "absent with leave".

Pages 85 and 86, roll call, by showing Representative Hartzler (124) voting "aye" rather than "absent with leave".

Page 88, roll call, by showing Representative Kelly (27) voting "no" rather than "absent with leave".

Page 88, roll call, by showing Representative Keeven voting "aye" rather than "absent with leave".

Seventy-sixth Day-Thursday, May 16, 1996

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 9:30 a.m., Friday, May 17, 1996.

COMMITTEE MEETINGS

BUDGET

Friday, May 17, 1996, 8:30 am. Hearing Room 9

To be considered - SB 488

HOUSE CALENDAR

SEVENTY-SEVENTH DAY, FRIDAY, MAY 17, 1996

HOUSE BILLS FOR PERFECTION

1 HCS HB 987, 1155, 1158 & 1219, as amended, HS, as amended, pending - Jacob
2 HCS HB 1403 - Dougherty
3 HB 944, HCA 1 - Smith
4 HB 1154 - Murray (69)
5 HCS HB 1540 - Green
6 HB 993 - Williams (121)
7 HB 854 - Bland
8 HB 1312 - Tate
9 HCS HB 843 - Daniels (41)
10 HB 1133 - Witt
11 HB 855 - Bland
12 HCS HB 830 & 1082 - Carter
13 HB 1228, HCA 1 - Harlan
14 HB 1279 - Tate
15 HCS HB 1398, 1339, 1488 & 1114 - Hagan-Harrell
16 HCS HB 829 & 1254 - May (108)
17 HB 1414, HCA 1 - Smith
18 HCS HB 960 - Rizzo
19 HB 1436, HCA 1 - Dougherty
20 HB 1399, HCA 1 - Leake
21 HCS HB 1112 - Koller
22 HCS HB 1204 - Wiggins
23 HB 816, HCA 1 - Backer
24 HCS HB 961 - Boucher
25 HB 1535 - Kissell
26 HCS HB 1132, 1049, 779, 1051 & 1544 - Heckemeyer
27 HCS HB 1429 - Liese
28 HCS HB 1143 - Witt
29 HB 856, HCA 1 - Bland
30 HB 1310 - Tate
31 HCS HB 1175, 1120 & 797 - Gratz
32 HCS HB 912 & 1108 - Treadway
33 HB 1579, HCA 1 - Skaggs
34 HB 1562 - Witt
35 HCS HB 1374 - Scheve
36 HB 801, HCA 1 - Schilling
37 HB 1443, HCA 1, HCA 2 - Prost
38 HB 1289 - Liese
39 HCS HB 1278 & 1277 - May (108)
40 HB 1590, HCA 1 - Harlan
41 HB 1145 - Shear (83)
42 HCS HB 1115 - Montgomery
43 HCS HB 1206 & 1484 - Hosmer

44 HB 1575 - Loudon
45 HB 1180 - Williams (159)
46 HB 1080, HCA 1 - Troupe
47 HCS HB 1430 & 1165 - Hosmer
48 HCS HB 1000 - Treadway
49 HCS HB 840 & 841 - Luetkenhaus
50 HB 833, HCA 1 - Dougherty
51 HCS HB 1465 - Hoppe
52 HB 1245 - Farmer
53 HCS HB 867, 893 & 1401 - Morgan
54 HCS HB 1103 - Smith

HOUSE BILLS FOR PERFECTION - INFORMAL

HB 1402 - Williams (121)

HB 1243, HCA 1 - Farmer

HB 962, as amended - Lumpe

HB 1156 - Scheve

HCS HB 1363 - Mays (50)

HCS HB 894 - Bray

HB 1247, HS, as amended - Shelton (57)

HOUSE BILLS FOR THIRD READING

HCS HB 1588 - Overschmidt

HS HCS HB 1149,1150 & 1240, E.C.(Budget Fiscal 5-1-96) - Jacob

HOUSE BILL FOR THIRD READING - INFORMAL

HB 782 - Stokan

SENATE BILLS FOR THIRD READING

HS HCS SS SS SB 488, as amended, adopted (Budget Fiscal 5-16-96) - Dougherty

HCS SS SCS SB 869, HS, as amended, pending, E.C. - Witt

HCS SB 634, HA 2 to HA 1, HA 1, as amended, pending - Smith

SB 805, HS, as amended, pending - Bland

HCS SCS SB 708 - Rizzo

SB 781, HCA 1 - Carter

SB 489 - Carter

SB 768 - Klumb

SENATE BILLS FOR THIRD READING - INFORMAL

SB 803 - Witt

HCS SB 904, Part I,as amended, adopted - Wiggins

BILLS CARRYING REQUEST MESSAGES

SCS HS HCS HB 1169 & 1271, Req. Sen. recede or grant House Conf.

Conferees be allowed to exceed differences - Williams (121)

SCS HCS HB 1557 & 1489, Req. Sen recede or grant House conf. E.C. - Days

SS HB 1432, Req. Sen. recede or grant House a conference E.C. - Leake

BILLS IN CONFERENCE

CCR SB 664, as amended - Hartzler (123)

HCS SS SCS SB 723 & 891, as amended, E.C. - Rizzo

HS HCS SB 888, as amended, E.C.(req. conferees to be allowed to exceed differences) - Jacob

SS SCS HS HCS HB 1237, as amended - Rizzo

CCR SS#2 HB 809, as amended, E.C. - Shields

CCR HCS SB 572, as amended - Morgan

CCR#3 HCS HB 991, as amended - Koller

HS SB 757, as amended - Sears (1)

HS HCS SS SCS SB 722, as amended (Conferees be allowed to exceed differences - Hosmer

HOUSE CONCURRENT RESOLUTIONS

HCR 5, (3-28-96 pgs. 12 & 13) - Thompson (37)

HCR 14, (5-15-96) - Dougherty

SENATE CONCURRENT RESOLUTIONS

SCR 28, (5-1-96 pgs 9 & 10) - Lumpe

SCR 29, (5-9 96 pgs 9 & 10 - Luetkenhaus

HOUSE BILLS TAKEN FROM COMMITTEE PER CONSTITUTION

HB 1463 - Shields

HB 1454 - Hall

HB 1455 - Hall

SENATE BILL TAKEN FROM COMMITTEE PER CONSTITUTION

SB 727 - Witt

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House Journal

Second Regular Session, 88th General Assembly

SEVENTY-SEVENTH DAY, Friday, May 17, 1996

Speaker Pro Tem Daniels in the Chair.

Prayer by Father Hugh Behan.

"What thanks can we render?" (I Thess. 3:9)

Once again, we come to the end of the session of the 88th General Assembly, a first experience for some, a day of old memories for many. We give thanks to our God for the guidance and grace which was showered on us directly and mediated through so many sources - firstly our families at home and our partners in business, then our hard-working office staff, the special House clerical and floor staff, information and accounting, the post office, researchers, graphic artists, and printers, maintenance and engineering, caterers, suppliers of information and citizen input. We pay a special tribute to our departing Chief Clerk, Doug Burnett, who has served this House in several capacities for twenty-six years. We say a fond farewell to those of you who have decided to leave and those who will be asked to leave by the voters! That brings us to our last point this morning gracious Lord, a fervent prayer that we would let our integrity, our sense of fairness and trust and respect for the electorate and democratic process be the guide of all of our campaign literature and speeches and of our staff. "What does it profit if we gain the whole world and lose our souls." (Mk. 8:36). Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Dale Herzing, Julie Herzing, Jessica Herzing, Samantha Smith, Josh Baldridge, Kate Gruenwald, Paul Morris, Cullan Brian May, Allison Elizabeth May, Roxanne Getty, Seldon Getty, Blake Gott, Jamie Bodine, Eric Ling, Brittany Finney, Stephanie Garnett, Danny O'Neill, Meredith Gibbons, Christina "Chrissy" Tripp, Amanda Duncan, Curtis Pemberton,Victoria "Vicki" Long, Bryce Shields and Brandt Shields.

The Journal of the seventy-sixth day was approved as corrected.

RESOLUTIONS

Representative Wooten offered House Resolution No. 1386, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Chrismer offered House Resolution No. 1387, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Howerton offered House Resolution Nos. 1388 through 1390, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Mays (50) and Monaco offered House Resolution No. 1391, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Brown offered House Resolution No. 1392, which was referred to the Committee on

Miscellaneous Bills and Resolutions.

Representative Levin offered House Resolution No. 1393, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McClelland offered House Resolution No. 1394, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ostmann offered House Resolution No. 1395, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Daniels offered House Resolution Nos. 1396 and 1397, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Overschmidt offered House Resolution No. 1398, which was referred to the Committee on Miscellaneous Bills and Resolutions.

SUPPLEMENTAL CALENDAR

May 17, 1996

THIRD READING OF SENATE BILLS

HCS SCS SB 604, 666 & 816 - Treadway

HCS SB 836, E.C. - Leake

SCS SB 524, HCA 1 - Rizzo (E.C. - HCA 1)

SB 842, HCA 1 - Green

HCS SS SB 709 - Witt

HCS SB 895 - Witt

HCS SB 804 - Harlan

SB 505 - Schilling

HCS SB 499 - Sheldon (104)

SB 565 - Lumpe

SB 492 - Hosmer

HCS SB 695 - Smith

SB 622 - Hoppe

SCS SB 642 & 819 - Pryor

SCS SB 726, HCA 1 - Thomason (163)

HCS SS SCS SB 510 - Burton

HCS SCS SB 514 - Marble

SCS SB 613 & 714 - Rizzo

HCS SCS SB 538 - Leake

COMMITTEE REPORT

Committee on Budget, Chairman Lumpe reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HS HCS SS SS SB 488 (Fiscal Note)**, begs leave to report it has examined the same and recommends that it **Do Pass.**

SENATE CONCURRENT RESOLUTIONS

SCR 28, relating to immigration and naturalizatioin service deportation proceedings, was taken up by Representative Lumpe.

On motion of Representative Lumpe, **SCR 28** was adopted.

SCR 29, relating to interim committees, was taken up by Representative Luetkenhaus.

On motion of Representative Luetkenhaus, **SCR 29** was adopted.

BILLS IN CONFERENCE

CCR SS #2 HB 809, as amended, relating to emergency personnel, was taken up by Representative Shields.

On motion of Representative Shields, **CCR SS #2 HB 809, as amended**, was adopted by the following vote:

AYES: 153

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Crump 152	Donovan	Gunn	Hand	Hohulin
Klumb	O'Neill	Thompson 37	Witt	

VACANCY: 001

On motion of Representative Shields, **CCS SS#2 HB 809** was read the third time and passed by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell

Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Crump 152	Donovan	Gunn	Hand	O'Neill

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Donovan	Dougherty	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Garnett
Gaskill	Gibbons	Goward	Graham	Griesheimer
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Kelley 47	Kelly 27	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 013

Edwards-Pavia	Froelker	Gratz	Green	Gross
Hendrickson	Keeven	Lograsso	Loudon	Richardson
Ridgeway	Steen	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 005

Days	Gunn	Hand	Klumb	O'Neill

VACANCY: 001

On motion of Representative Farmer, title to the bill was agreed to.

Representative Fitzwater moved that the vote by which the bill passed be reconsidered.

Representative Bland moved that motion lay on the table.

The latter motion prevailed.

CCR HCS SB 572, as amended, relating to school enrollment, was taken up by Representative Morgan.

On motion of Representative Morgan, **CCR HCS SB 572, as amended**, was adopted by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Donovan	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Summers	Surface	Tate
Thomason 163	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Days	Dougherty	Gunn	Hand	O'Neill
Stoll	Thompson 37	Ward		

VACANCY: 001

On motion of Representative Morgan, **CCS HCS SB 572** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Gunn	Hand	O'Neill	Tate	Thompson 37
Ward	Witt			

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Relford moved that motion lay on the table.

The latter motion prevailed.

CCR #3 HCS HB 991, as amended, relating to motor carriers, was taken up by Representative Koller.

On motion of Representative Koller, **CCR #3 HCS HB 991, as amended,** was adopted by the following vote:

AYES: 137

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz

Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Goward	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Levin
Liese	Linton	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McLuckie	Monaco	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Ostmann	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Ribaudo	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 020

Bartelsmeyer	Boatright	Evans	Froelker	Gibbons
Howerton	Keeven	Legan	Lograsso	Long
Loudon	McClelland	Murphy	Oetting	Pryor
Richardson	Scott	Sombart	Steen	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 005

Gunn	Hand	O'Neill	Sallee	Ward

VACANCY: 001

On motion of Representative Koller, **HCS HB 991, as amended by the CCR,** was read the third time and passed by the following vote:

AYES: 138

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bennett 15	Bland	Bonner	Boucher
Bray 84	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Goward	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Kelley 47	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Levin	Liese	Linton	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Ribaudo	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Wiggins	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 016

Akin	Bartelsmeyer	Boatright	Howerton	Keeven
Legan	Lograsso	Long	Loudon	Oetting
Pryor	Richardson	Ridgeway	Scott	Sombart

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 008

Gunn	Hand	O'Neill	Sallee	Thompson 37
Ward	Whiteside	Williams 121		

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Montgomery, title to the bill was agreed to.

Representative Morgan moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

HOUSE BILLS WITH SENATE AMENDMENTS

HJR 58, with Senate Amendment No. 1 to Senate Committee Amendment No. 1 and Senate Committee Amendment No. 1, as amended, relating to budget stablization, was taken up by Representative Lumpe.

On the motion of Representative Lumpe, the House concurred in **Senate Amendment No. 1 to Senate Committee Amendment No. 1 and Senate Committee Amendment No. 1, as amended**, by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Davis	Gunn	Hand	Loudon	O'Neill
Thompson 37	Ward			

VACANCY: 001

On motion of Representative Lumpe, **HJR 58, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 151

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelley 47	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Auer	Crump 152	Gunn	Hand	Hohulin
Lograsso	O'Neill	Pryor	Relford	Ross

Ward

VACANCY: 001

Speaker Pro Tem Daniels declared the bill passed.

On motion of Representative Bray, title to the bill was agreed to.

Representative Barry moved that the vote by which the bill passed be reconsidered.

Representative Auer moved that motion lay on the table.

The latter motion prevailed.

SS# 4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 and 1250, relating to abortion, was taken up by Representative O'Connor.

The Speaker assumed the Chair.

On motion of Representative O'Connor, **SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 and 1250** was adopted by the following vote:

AYES: 109

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Burton	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farnen	Fiebelman	Foley
Foster	Froelker	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Keeven	Kelley 47	Kissell
Koller	Kreider	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	McBride
McClelland	Monaco	Murphy	Murray 69	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Overschmidt
Pouche	Prost	Pryor	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Sheldon 104
Shields	Steen	Stokan	Stoll	Summers
Surface	Treadway	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 159	Wooten	

NOES: 047

Backer	Bland	Bray 84	Brown	Canuteson
Carter	Clayton	Daniel 42	Daniels 41	Davis
Days	Farmer	Fitzwater	Ford	Franklin
Hagan-Harrell	Harlan	Jacob	Kauffman	Kelly 27
Klumb	Lakin	Lumpe	May 108	Mays 50
McLuckie	Montgomery	Morgan	Murray 135	Ostmann
Pauley	Relford	Scheve	Schilling	Sears 1
Shear 83	Shelton 57	Skaggs	Smith	Sombart
Tate	Thomason 163	Troupe	Van Zandt	Williams 121
Witt	Mr. Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 006

Garnett	Gunn	Hand	O'Neill	Thompson 37

Ward

VACANCY: 001

On motion of Representative O'Connor, **SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 and 1250** was truly agreed to and finally passed by the following vote:

AYES: 109

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Burton	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Foley	Foster	Froelker	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hall	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Keeven	Kelley 47	Kissell
Koller	Kreider	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	McBride
McClelland	Monaco	Murphy	Murray 69	Naeger

Nordwald	O'Connor	O'Toole	Oetting	Overschmidt
Pouche	Prost	Pryor	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Schwab	Scott	Secrest	Sheldon 104
Shields	Steen	Stokan	Stoll	Summers
Surface	Treadway	Vogel	Wannenmacher	Whiteside
Wieland	Wiggins	Williams 159	Wooten	

NOES: 046

Backer	Bland	Bray 84	Brown	Canuteson
Carter	Clayton	Daniel 42	Davis	Days
Farmer	Fitzwater	Ford	Franklin	Hagan-Harrell
Harlan	Jacob	Kauffman	Kelly 27	Klumb
Lakin	Lumpe	May 108	Mays 50	McLuckie
Montgomery	Morgan	Murray 135	Ostmann	Pauley
Relford	Scheve	Schilling	Sears 1	Shear 83
Shelton 57	Skaggs	Smith	Sombart	Tate
Thomason 163	Thompson 37	Van Zandt	Williams 121	Witt

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 007

Garnett	Goward	Gunn	Hand	O'Neill
Troupe	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Liese, title to the bill was agreed to.

Representative Auer moved that the vote by which the bill passed be reconsidered.

Representative Copeland moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#5 SCS HCS HB 800, 812, 817 and 821**, entitled:

To repeal sections 105.470, 195.017, 217.730, 302.225, 317.001, 317.006, 367.011, 367.021, 367.031, 367.040, 367.043, 367.044, 367.045, 367.047, 367.048, 367.049, 367.050, 451.020, 479.020, 542.276, 544.170, 546.680, 556.037, 562.021, 566.067, 566.068, 569.170, 570.210, 574.085, 575.010, 575.020, 575.030, 575.090, 590.110, 595.025 and 595.045, RSMo 1994, sections 544.157, 549.525, 565.084, 566.600 and 600.042, RSMo Supp. 1995, and section 544.216 as enacted by the second regular session of the eighty-eighth general assembly in conference committee substitute for senate substitute no. 2 for senate substitute for house bill no. 1047 and signed by the governor on March 13, 1996, relating to crime, and to enact in lieu thereof sixty-four new sections relating to the same subject , with penalty provisions, an emergency clause for certain sections and a termination date for a certain section.

With Senate Amendment Nos. 2, 3, 4, 5 and 6.

Senate Amendment No. 2

Amend Senate Substitute No. 5 for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 800, 812, 817, and 821, Page 124, Section 8, Line 16 by inserting immediately after said line the following:

"**Section 9. 1. As used in this section, the following terms mean:**

(1) "Partial-birth abortion", an abortion in which the person performing the abortion partially vaginally delivers a living fetus before killing the fetus and completing the delivery;

(2) "Physician", a doctor of medicine or osteopathy legally authorized to practice medicine and surgery or any other individual legally authorized to perform abortions; however, any individual who is not a physician or not otherwise legally authorized by the state to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

2. Any physician who knowingly performs a partial-birth abortion which results in the death of a human fetus is guilty of a class A misdemeanor and may be fined up to five thousand dollars. This subsection shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness or injury and if no other medical procedure could be performed to protect the mother's life or physical health.

3. The father, if married to the mother at the time she receives a partial-birth abortion procedure and, if the mother has not attained the age of eighteen years at the time of the abortion, the maternal grandparents of the fetus may, in a civil action, obtain appropriate relief against the physician performing the partial-birth abortion and the hospital where such abortion is performed, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion. Such relief shall include:

(1) Money damages for all injuries, psychological and physical, occasioned by the violation of this section; and

(2) Statutory damages equal to three times the cost of the partial-birth abortion.

4. A woman upon whom a partial-birth abortion is performed may not be prosecuted under this section."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 3

AMEND Senate Substitute No. 5 for Senate Committee Substitute for House Committee Substitute for House Bill No. 800, 812, 817 and 821, Page 2 through 13, Section 105.470, by striking all said section; and further amend the title and enacting clause accordingly.

Senate Amendment No. 4

AMEND Senate Substitute No. 5 for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 72, Section 479.020, Line 27, by inserting immediately after said line the following:

"516.145. Within one year: all actions brought by an offender, as defined in sectionf
217.010, RSMo, **or by any pretrial detainee,** against the department of corrections **or anyine**
municipal or county, jail or other detention facility, or any entity or division thereof, oror anyine
any employee or former employee for an act in an official capacity, or by the omission of an oror anyine
official duty **or any other act or omission performed under color of law.**"; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 5

Amend Senate Substitute No. 5 for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 39, Section 302.225, Line 14, by inserting after all of said line the following:

"**315.067. 1. A person operating a hotel, and the term "hotel" used in this act shall include all the "lodging establishments" defined in section 315.005, has the right to refuse or deny the use of a room, accommodations, facilities, or other privileges of the hotel to any of the following:**

(1) An individual unwilling or unable to pay for the room, accommodations, facilities, or other privileges of the hotel;

(2) An individual who is visibly intoxicated, and under the influence of alcohol or other drug, and who is disorderly so as to create a public nuisance;

(3) An individual the hotel operator reasonably believes is seeking to use a room, accommodations, facilities, or other privileges of the hotel for an unlawful purpose;

(4) An individual the hotel operator reasonably believes is bringing in anything which may create an unreasonable danger or risk to other persons, including but not limited to unlawful use of firearms or explosives;

(5) An individual whose use of the room, accommodations, facilities, or other privileges of the hotel would result in a violation of the maximum capacity of such hotel.

2. A hotel operator who reasonably refuses or denies the use of a room, accommodations, facilities, or other privileges of the hotel pursuant to this section is not subject to any civil or criminal action or any fine or other penalty.

315.069. The hotel operator has the right to require a person seeking the use of a room, accommodations,

facilities, or other privileges of the hotel to demonstrate the ability to pay for such use by cash, credit card, or approved check. The hotel operator may require the parent or guardian of a person less than eighteen years of age to do all of the following:

(1) Accept in writing the liability for the cost of the room, accommodations, facilities, or other privileges of the hotel used by the person, and for the cost of any damages to the room, furnishings in the room, or other facilities of the hotel caused by the person while the person is using the room, accommodations, facilities, or other privileges of the hotel;

(2) Provide the hotel operator with one of the following:

(a) The authority to charge any amount due for the cost of the room, accommodations, facilities, or other privileges of the hotel used by the person, and for the cost of any damages to the room, furnishings in the room, or other facilities of the hotel caused by the person while the person is using the room, accommodations, facilities, or other privileges of the hotel to a credit card use of a credit card by person under the age of eighteen years shall be deemed a waiver of any defense based upon the age of such person as may be raised by the minor or the person authorizing the use of the credit card;

(b) An advance cash payment sufficient to cover the cost of the room, accommodations, facilities, or other privileges the hotel used by the person, and a reasonable amount as a deposit toward the cost of any damages to the room, furnishings in the room, or other facilities of the hotel caused by the person while the person is using the room, accommodations, facilities, or other privileges of the hotel. A cash deposit for any damages required by the hotel operator shall be promptly refunded to the extent not used to cover the cost of any such damages as determined by the hotel operator following an inspection of the room, accommodations, or facilities of the hotel used by the person at the end of the person's stay.

315.072. In addition to any other applicable penalties, a court may order a person to pay restitution for any damages caused by such person which are suffered by the owner or operator of the hotel. Damages for which restitution may be ordered, in addition to physical damages, may include the loss of revenue resulting from the hotel being unable to rent or lease the room, accommodation, or facility during any time of repair, and restitution to any other individual who is injured or whose property is damaged as a result of the violation. Subject to the restrictions provided in section 537.045, RSMo, the parent or guardian, excluding foster parents, of a person less than eighteen years of age in their care and custody, may be liable to the owner or operator for the acts of the person which result in damage to the room, accommodation, or facility, and for restitution to any other individual who is injured or whose property is damaged as a result of such acts.

315.075. An owner or operator of a hotel may eject a person from the hotel and shall notify the appropriate local law enforcement authorities for any of the following reasons:

(1) Nonpayment of charges incurred by the individual renting or leasing a room, accommodations, or facilities of the hotel when the charges are due and owing;

(2) The individual renting or leasing a room, accommodations, or facilities of the hotel is visibly intoxicated, and is under the influence of alcohol or other drug, and is disorderly so as to create a public nuisance;

(3) The owner or operator reasonably believes that the individual is using the premises for an unlawful purpose;

(4) The owner or operator reasonably believes that the individual has brought anything into the hotel which may create an unreasonable danger or risk to other persons, including but not limited to unlawful use of firearms or explosives; and

(5) The individual is in violation of any federal, state, or local laws or regulations relating to the hotel.

315.077. An owner or operator of a hotel shall post a copy of sections 315.067 to 315.079 of this act, in addition to any rules established by the owner or operator of the hotel, in a conspicuous place at or near the guest registration desk and in each room of the hotel.

315.079. 1. Each individual renting or leasing a room, accommodations, or facilities of the hotel shall register, and may be required by the owner or operator of the hotel to show proof of identity by producing a valid driver's license, or other identification satisfactory to the owner or operator. If the individual is a person less than eighteen years of age, the owner or operator may also require a parent or guardian of the person to register.

2. The guest register may be kept and maintained by recording, copying, or reproducing the register by any photographic, photostatic, microfilm, microcard, miniature photographic, electronic imaging, electronic data processing, or other process which accurately reproduces or forms a durable medium for accurately and legibly reproducing an unaltered image or reproduction of the original."; and

Further amend the title and enacting clause accordingly.

Senate Amendment No. 6

AMEND Senate Substitute No. 5 for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, Page 93, Section 562.021, line 10, from the top of the page, by inserting immediately

at the end of said line the following:

"565.005. 1. At a reasonable time before the commencement of the first stage of anyn
trial of murder in the first degree at which the death penalty is not waived, the state andf anyn
defendant, upon request and without order of the court, shall serve counsel of the opposingf anyn
party with:

(1) A list of all aggravating or mitigating circumstances as provided in subsection 1 of section 565.032, which the party intends to prove at the second stage of the trial;

(2) The names of all persons whom the party intends to call as witnesses at the second stage of the trial;

(3) Copies or locations and custodian of any books, papers, documents, photographs or objects which the party intends to offer at the second stage of the trial. If copies of such materials are not supplied to opposing counsel, the party shall cause them to be made available for inspection and copying without order of the court.

2. The disclosures required in subsection 1 of this section are supplemental to those required by rules of the supreme court relating to a continuing duty to disclose information, the use of matters disclosed, matters not subject to disclosure, protective orders, and sanctions for failure to comply with an applicable discovery rule or order, all of which shall also apply to any disclosure required by this section.

3. If the defendant proposes to offer evidence of mental retardation, he shall file written notice thereof with the court no less than thirty days in advance of trial and list all expert witnesses he intends to call in purposes of performing the examination in question or to examine the accused, shall:

(1) Appoint one or more private psychiatrists or psychologists, as defined in section 632.005, RSMo; or

(2) Appoint physicians with a minimum of one year training or experience in providing treatment or services to mentally retarded individuals, who are neither employees nor contractors of the department of mental health; or

(3) Direct the director of the department of mental health or his designee to have the accused so examined by one or more psychiatrists or psychologists, as defined in section 632.005, RSMo, or physicians with a minimum of one year training or experience in providing treatment or services to mentally retarded individuals designated by the director or his designee.

4. No private psychiatrist, psychologist, or physician shall be appointed by the court pursuant to subsection 3 of this section unless he has consented to act. The examinations ordered shall be made at such time and place and under such conditions as the court deems proper; except that if the order directs the director of the department of mental health to have the accused examined, the director, or his designee, shall determine the reasonable time, place, and conditions under which the examination shall be conducted. The order may include provision for the interview of witnesses or the production and examination of records.

5. Both the state and the defendant may take the deposition of any witness disclosed pursuant to this section.

6. Both the defendant and the state shall, upon written request, be entitled to an order granting them a second examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, RSMo, or a physician with a minimum of one year training or experience in providing treatment or services to mentally retarded individuals, of their own choosing and at their own expense.

7. A claim of mental retardation so as to preclude the death penalty shall constitute an affirmative defense which shall be decided prior to trial by a judge rather than a jury and no interlocutory appeal from an adverse ruling shall be permitted by either side.

8. Whenever evidence relating to the issue of mental retardation under subsection 2 of section 565.020 is offered pursuant to the procedures contained in subsection 3, 4 and 5 of this section, the court shall after hearing make findings of fact and conclusions of law, prior to trial or plea, as to the issue.

565.020. 1. A person commits the crime of murder in the first degree if he knowingly causes the death of another person after deliberation upon the matter.

2. Murder in the first degree is a class A felony, and the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor; except that, if a person has not reached his sixteenth birthday at the time of the commission of the crime, the punishment shall be imprisonment for life without eligibility for probation or parole, or release except by act of the governor.]**, or except as provided in subsection 3 of this section.**

3. A person is not eligible for the death penalty if at the time of the commission of the offense he has not reached his sixteenth birthday or he has mental retardation as defined in section 630.005, RSMo. This subsection shall only be effective for crimes occurring on or after the effective date of this section."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS SB 757, as amended**: Senators Maxwell, Howard, Lybyer, Westfall and Russell.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #2 on **HS SB 757, as amended**, and has taken up and passed **HS SB 757, as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS HB 991, as amended**: Senators Staples, Banks, McKenna, Sims and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **HS HCS HBs 1169 and 1279, as amended** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Moseley, Caskey, Quick, Westfall and Sims.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 1557 and 1489, as amended** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators McKenna, DePasco, Quick, Flotron and Treppler.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HB 1098, as amended**, and has taken up and passed **CCS HB 1098**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HB 1432** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Quick, McKenna, Treppler, Johnson and Klarich.

APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like committees from the Senate on the following bills:

SCS HCS HBs 1557 and 1489: Representatives Days, Carter, Scheve, Long and Levin

SCS HS HBs 1169 and 1271: Representatives Williams (121), Hosmer, Smith, Sallee and Edwards-Pavia

SS HB 1432: Representatives Leake, Liese, Copeland, Elliott andm Wannenmacher

SIGNING OF SENATE BILL

All other business of the House was suspended while **HS SS SB 981** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 664, as amended**, and has taken up and passed **CCS SB 664**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HBs 1301 & 1298, as amended**, and has taken up and passed **CCS SCS HS HCS HBs 1301 & 1298**.

Emergency clause adopted.

MOTION

Representative Hosmer moved that the House refuse to adopt **SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 723 & 891, as amended**, and has taken up and passed **HCS SS SCS SBs 723 & 891, as amended by CCR**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS #2 HB 809, as amended**, and has taken up and passed **CCS SS #2 HB 809**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS #5 SCS HCS HB 800, 812, 817 & 821, as amended** and grants the House a conference thereon and further that the conferees be bound to the language in the attached amendment.

Senate Amendment

Amend Senate Substitute No. 5 for Senate Committee Substitute for House Committee Substitute for House Bill No. 800, 812, 817, and 821, Page 124, Section 8, Line 16 by inserting immediately after said line the following:

"**Section 1. 1. As used in this section, the following terms mean:**

(1) "Partial-birth abortion", an abortion in which the person performing the abortion partially vaginally delivers a living fetus before killing the fetus and completing the delivery;

(2) "Physician", a doctor of medicine or osteopathy legally authorized to practice medicine and surgery or any other individual legally authorized to perform abortions; however, any individual who is not a physician or not otherwise legally authorized by the state to perform abortions, but who nevertheless directly performs a partial-birth abortion, shall be subject to the provisions of this section.

2. Any physician who knowingly performs a partial-birth abortion which results in the death of a human fetus is guilty of a class A misdemeanor and may be fined up to five thousand dollars. This subsection shall not apply to a partial-birth abortion that is necessary to save the life of a mother whose life is endangered by a physical disorder, illness or injury and if no other medical procedure could be performed to protect the mother's life or physical health.

3. The penalty established in this section shall not preclude the prosecution of the physician under any alernate criminal statute, including sections 188.035 and 565.021, RSMo.

4. The father, if married to the mother at the time she receives a partial-birth abortion procedure and, if the mother has not attained the age of eighteen years at the time of the abortion, the maternal grandparents of the fetus may, in a civil action, obtain appropriate relief against the physician performing the partial-birth abortion and the hospital where such abortion is performed, unless the pregnancy resulted from the plaintiff's criminal conduct or the plaintiff consented to the abortion. Such relief shall include:

(1) Money damages for all injuries, psychological and physical, occasioned by the violation of this section; and

(2) Statutory damages equal to three times the cost of the partial-birth abortion.

5. A woman upon whom a partial-birth abortion is performed may not be prosecuted under this section."; and

Further amend the title and enacting clause accordingly.

THIRD READING OF SENATE BILL

HCS SS SCS SB 869, with HS, as amended, pending, relating to court administration, was again taken up by Representative Witt.

Representative Legan offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, page 166, section 10, line 1 of said page, by inserting immediately after said line the

following:

"**Section 11. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within the thirtieth judicial circuit in all criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution adopted prior to January 1, 1997, by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution adopted prior to January 1, 1997, by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by section 514.015, RSMo, and shall be payable to the treasurer of the county where the violation occurred.**

2. Each county shall use all funds received pursuant to this section only to pay for the costs associated with the construction, maintenance and operation of the county judicial facility and the circuit juvenile detention center including, but not limited to, utilities, maintenance and building security. The county shall maintain records identifying such operating costs, and any moneys not needed for the operating costs of the county judicial facility shall be transmitted quarterly to the general revenue fund of the county.

3. This section shall expire and be of no force and effect on and after January 1, 2005."; and

Further amend the title and Section C of said bill accordingly.

On motion of Representative Legan, House Amendment No. 6 was adopted.

Representative Dougherty offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, page 127, section 208.220, line 1, by inserting immediately after said line the following:

455.030. 1. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from abuse or a motion for hearing on violation of any order of protection under sections 455.010 to 455.085 may be filed before any available circuit or associate circuit court judge in the city or county having jurisdiction to hear the petition **pursuant to the guidelines developed pursuant to subsection 4 of this section**. An ex parte order may be granted pursuant to section 455.035.

2. All papers in connection with the filing of a petition or the granting of an ex parte order of protection or a motion for a hearing on a violation of an order of protection under this section shall be certified by such judge or the clerk within the next regular business day to the circuit court having jurisdiction to hear the petition.

3. A petitioner seeking a protection order shall not be required to reveal any current address or place of residence except to the judge in camera for the purpose of determining jurisdiction and venue. The petitioner may be required to provide a mailing address unless the petitioner alleges that he or she would be endangered by such disclosure, or that other family or household members would be endangered by such disclosure.

4. The supreme court shall develop guidelines which ensure that a verified petition may be filed on holidays, evenings and weekends.

455.040. 1. Not later than fifteen days after the filing of a petition under sections 455.010 to 455.085 a hearing shall be held unless the court deems, for good cause shown, that a continuance should be granted. At the hearing, if the petitioner has proved the allegation of abuse or stalking by a preponderance of the evidence, the court shall issue a full order of protection for a [definite] period of time [, not to exceed one hundred eighty days] **the court deems appropriate, except that the protective order shall be valid for at least one hundred eighty days and not more than one year**. Upon motion by the petitioner, and after a hearing by the court, the full order of protection may be renewed for a period [not to exceed] **of time the court deems appropriate, except that the protective order shall be valid for at least** one hundred eighty days **and not more than one year** from the expiration date of the originally issued full order of protection. If for good cause a hearing cannot be held on the motion to renew the full order of protection prior to the expiration date of the originally issued full order of protection, an ex parte order of protection may be issued until a hearing is held on the motion. Upon motion by the petitioner, and after a hearing by the court, the second full order of protection may be renewed for an additional period [not to exceed] **of time the court deems appropriate, except that the protective order shall be valid for at least** one hundred eighty days **and not more than one year**. For purposes of this subsection, a finding by the court of a subsequent act of abuse is not required for a renewal order of protection.

2. The court shall cause a copy of the petition and notice of the date set for the hearing on such petition and any ex parte order of protection to be personally served upon the respondent by personal process server as

provided by law or by any sheriff or police officer at least three days prior to such hearing. Such shall be served at the earliest time, and service of such shall take priority over service in other actions, except those of a similar emergency nature. The court shall cause a copy of any full order of protection to be served upon or mailed by certified mail to the respondent at his last known address. Failure to serve or mail a copy of the full order of protection to the respondent shall not affect the validity or enforceability of a full order of protection.

3. A copy of any order of protection granted under sections 455.010 to 455.085 shall be issued to the petitioner and to the local law enforcement agency in the jurisdiction where the petitioner resides. The clerk shall also issue a copy of any order of protection to the local law enforcement agency responsible for maintaining the Missouri uniform law enforcement system or any other comparable law enforcement system the same day the order is granted. The law enforcement agency responsible for maintaining MULES shall enter information contained in the order for purposes of verification within twenty-four hours from the time the order is granted. A notice of expiration or of termination of any order of protection shall be issued to the local law enforcement agency and to the law enforcement agency responsible for maintaining MULES or any other comparable law enforcement system. The law enforcement agency responsible for maintaining the applicable law enforcement system shall enter such information in the system."; and

Further amend said bill, by amending the title and enacting clause accordingly.

On motion of Representative Dougherty, House Amendment No. 7 was adopted.

Representative Pouche offered House Amendment No. 8.

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, page 82, section 494.480, line 15, by inserting immediately after said line the following:

494.490. In all trials of civil actions before a circuit judge, or an associate circuit judge sitting as a circuit judge, a jury shall consist of twelve persons selected pursuant to sections 494.400 to 494.505. Three-fourths or more jurors may return a lawful verdict. All verdicts shall be signed by each juror who agrees to the verdict.; and

Further amend said bill, page 94, section 514.490, line 35 , by inserting immediately after said line the following:

"517.091. 1. In any case triable before a jury, a trial by jury shall be deemed waived unless written demand be filed not later than five days before the return date of summons or the date set for trial, whichever is later. For good cause shown, the judge may grant any party's request for jury trial.

2. A jury shall be composed of [twelve] **eight** qualified jurors, unless all parties agree on a lesser number, but not less than six, in which case the number of [veniremen] **venirepersons** shall be reduced accordingly. Three-fourths or more of any jury concurring may return a verdict."; and

Further amend said bill, by amending the title and enacting clause accordingly.

Representative Clayton raised a point of order that House Amendment No. 8 is not germane to the bill.

The Chair ruled the point of order not well taken.

Representative Witt offered House Substitute Amendment No. 1 for House Amendment No. 8.

House Substitute Amendment No. 1

for

House Amendment No. 8

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, page 135, section 490.130, line 1 of said page, by inserting immediately after said line the following:

"494.490. In all trials of civil actions before a circuit judge, or an associate circuit judge sitting as a circuit judge, a jury shall consist of twelve persons selected pursuant to sections 494.400 to 494.505**, unless all parties agree on a lesser number, but not less than eight, in which case the number of veniremen shall be reduced accordingly**. Three-fourths or more jurors may return a lawful verdict. All verdicts shall be signed by each juror who agrees to the verdict."; and

Further amend the title and section C of said bill accordingly.

On motion of Representative Witt, House Substitute Amendment No. 1 for House Amendment No. 8 was adopted.

Representative Kelley (47) offered House Amendment No. 9.

House Amendment No. 9

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, page 149, section 537.675, line 18, by deleting the opening bracket ([ ) and also on page 150, section 537.675, line 16, by deleting the closing bracket ( ]); and

Further amend said bill, pages 158 and 159, section 7, by deleting all of section 7.

On motion of Representative Kelley (47), House Amendment No. 9 was adopted by the following vote:

AYES: 148

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Rizzo	Robirds
Ross	Sallee	Scheve	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 004

Bray 84	Hartzler 123	Murray 135	Schilling

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin	Gunn	Hand	Hickey	Luetkenhaus
O'Neill	Ridgeway	Stoll	Thompson 37	Ward

VACANCY: 001

Representative Witt offered House Amendment No. 10.

House Amendment No. 10

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, pages 128 - 129, section 478.321, lines 16 - 22, of page 128, and lines 1 - 4, of page 129, by striking all of said lines.

On motion of Representative Witt, House Amendment No. 10 was adopted.

Representative Hegeman offered House Amendment No. 11.

House Amendment No. 11

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, Page 2, In The Title, Line 25 of said title, by deleting the word "eighty-six" and inserting in

lieu thereof the word "eighty-four"; and

Further amend said bill, Page 111, Section C, Line 18 of said page, by deleting the word "twenty-four" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 111, Section C, Line 21 of said page, by deleting the number "514.015,"; and

Further amend said bill, Page 111, Section C, Line 22 of said page, by deleting "9 and 10" and inserting in lieu thereof the following: "and 9"; and

Further amend said bill, Pages 136 to 148, Section 514.015, by deleting all of said section; and

Further amend said bill, Pages 160 to 165, Section 9, by deleting all of said section; and

Further amend said bill, Page 165, Section 10, Line 18 of said page, by deleting the number "**10.**" and inserting in lieu thereof the number "**9.**".

Representative Hegeman requested a division of the question.

House Amendment No. 11

PART I

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, Page 2, In The Title, Line 25 of said title, by deleting the word "eighty-six" and inserting in lieu thereof the word "eighty-four"; and

Further amend said bill, Page 111, Section C, Line 18 of said page, by deleting the word "twenty-four" and inserting in lieu thereof the word "twenty-two"; and

Further amend said bill, Page 111, Section C, Line 21 of said page, by deleting the number "514.015,"; and

Further amend said bill, Page 111, Section C, Line 22 of said page, by deleting "9 and 10" and inserting in lieu thereof the following: "and 9"; and

Further amend said bill, Pages 136 to 148, Section 514.015, by deleting all of said section.

Representative Hegeman moved that Part I of House Amendment No. 11 be adopted.

Which motion was defeated.

House Amendment No. 11

PART II

AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 869, Pages 160 to 165, section 9, by deleting all of said section; and

Further amend said bill, page 165, section 10, line 18 of said page, by deleting the number "**10.**" and inserting in lieu thereof the number "**9.**".

Representative Hegeman moved that Part II of House Amendment No. 11 be adopted.

Which motion was defeated.

Representative Backer moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Dougherty	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Goward	Gratz	Green	Hagan-Harrell	Harlan
Heckemeyer	Hickey	Hoppe	Hosmer	Jacob
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Liese	Luetkenhaus	Lumpe
Marshall 26	May 108	Mays 50	McBride	McLuckie
Monaco	Montgomery	Morgan	Murray 69	O'Connor
O'Toole	Overschmidt	Prost	Relford	Reynolds
Ribaudo	Rizzo	Scheve	Schilling	Sears 1
Shear 83	Sheldon 104	Shelton 57	Skaggs	Smith
Stokan	Stoll	Tate	Thomason 163	Thompson

37				
Treadway	Troupe	Van Zandt	Ward	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

NOES: 072

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Cooper
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Foster	Froelker	Gaskill	Gibbons	Graham
Griesheimer	Gross	Hall	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hohulin	Howerton	Kasten
Kauffman	Keeven	Kelley 47	Legan	Levin
Linton	Lograsso	Long	Loudon	Marble
Marshall 133	McClelland	Murphy	Murray 135	Naeger
Nordwald	Oetting	Ostmann	Pouche	Pryor
Richardson	Ridgeway	Robirds	Ross	Sallee
Schwab	Scott	Secrest	Shields	Sombart
Steen	Summers	Surface	Wannenmacher	Whiteside
Wieland	Wooten			

PRESENT: 000

ABSENT WITH LEAVE: 006

Garnett	Gunn	Hand	O'Neill	Pauley

Vogel

VACANCY: 001

On motion of Representative Witt, **HS HCS SS SCS SB 869, as amended,** was adopted by the following vote:

AYES: 102

Auer	Backer	Barry 100	Bonner	Boucher
Bray 84	Brown	Burton	Canuteson	Carter
Champion	Childers	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Franklin	Garnett	Gibbons	Goward	Gratz
Green	Griesheimer	Hagan-Harrell	Hall	Heckemeyer
Hendrickson	Hickey	Hoppe	Hosmer	Howerton
Kasten	Kauffman	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Liese	Lograsso	Lumpe	Marble	May 108
Mays 50	McBride	McLuckie	Monaco	Montgomery
Morgan	Murray 69	Naeger	Nordwald	O'Connor
O'Toole	Ostmann	Overschmidt	Pouche	Prost
Relford	Reynolds	Ribaudo	Ridgeway	Rizzo
Ross	Scheve	Schilling	Schwab	Sears 1
Shear 83	Shelton 57	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Williams 121	Williams 159
Witt	Mr. Speaker			

NOES: 050

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Chrismer	Edwards-Pavia
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Graham	Gross	Hartzler 123	Hartzler 124
Hegeman	Hohulin	Jacob	Keeven	Kelley 47
Levin	Linton	Long	Loudon	Luetkenhaus
Marshall 26	Marshall 133	McClelland	Murphy	Murray 135

Oetting	Pryor	Richardson	Robirds	Sallee
Scott	Secrest	Sheldon 104	Shields	Summers
Surface	Wannenmacher	Wieland	Wiggins	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Gunn	Hand	Harlan	O'Neill
Pauley	Thompson 37	Vogel	Ward	Whiteside

VACANCY: 001

On motion of Representative Witt, **HS HCS SS SCS SB 869, as amended,** was read the third time and passed by the following vote:

AYES: 120

Alter	Auer	Backer	Ballard	Barry 100
Bennett 15	Bland	Bonner	Boucher	Bray 84
Broach	Brown	Burton	Canuteson	Carter
Champion	Childers	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Franklin	Gaskill
Gibbons	Goward	Gratz	Green	Griesheimer
Hagan-Harrell	Hall	Harlan	Heckemeyer	Hendrickson
Hickey	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Lograsso	Loudon	Lumpe
Marble	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Ostmann
Overschmidt	Pouche	Prost	Relford	Reynolds
Ribaudo	Ridgeway	Rizzo	Robirds	Ross
Scheve	Schilling	Schwab	Sears 1	Shear 83
Shelton 57	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Wannenmacher
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 035

Akin	Barnett 4	Bartelsmeyer	Boatright	Chrismer
Elliott	Foster	Froelker	Graham	Gross
Hartzler 123	Hartzler 124	Hegeman	Hohulin	Hoppe
Keeven	Linton	Long	Luetkenhaus	Marshall 26
Marshall 133	Montgomery	Murphy	Oetting	Pryor
Richardson	Sallee	Scott	Secrest	Sheldon 104
Shields	Surface	Whiteside	Wieland	Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 007

Garnett	Gunn	Hand	O'Neill	Pauley
Vogel	Ward			

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Alter	Auer	Backer	Ballard	Barry 100
Bartelsmeyer	Bennett 15	Bland	Bonner	Boucher
Bray 84	Broach	Brown	Burton	Canuteson
Carter	Champion	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Franklin
Gibbons	Goward	Graham	Gratz	Green
Griesheimer	Hagan-Harrell	Hall	Harlan	Hartzler 123
Heckemeyer	Hendrickson	Hickey	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Kelley 47	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Scheve	Schilling
Schwab	Scott	Sears 1	Shear 83	Shelton 57
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Tate	Thomason 163	Thompson 37	Treadway
Troupe	Van Zandt	Wannenmacher	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 023

Akin	Barnett 4	Boatright	Chrismer	Foster
Froelker	Gross	Hartzler 124	Hegeman	Hohulin
Howerton	Keeven	Loudon	Marshall 26	Murphy
Sallee	Secrest	Sheldon 104	Shields	Steen
Surface	Whiteside	Wieland		

PRESENT: 000

ABSENT WITH LEAVE: 010

Childers	Garnett	Gaskill	Gunn	Hand
Kelly 27	O'Neill	Pauley	Vogel	Ward

VACANCY: 001

On motion of Representative Franklin, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Klumb moved that motion lay on the table.

The latter motion prevailed.

HS HCS SS SS SB 488, as amended, relating to child care/domestic violence, was again taken up by Representative Dougherty.

On motion of Representative Dougherty, **HS HCS SS SS SB 488, as amended,** was read the third time and passed by the following vote:

AYES: 139

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Chrismer	Cierpiot
Clayton	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Gaskill	Gibbons	Goward
Graham	Gratz	Griesheimer	Gross	Hagan-Harrell

Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Wannenmacher	Wieland
Wiggins	Williams 159	Witt	Mr. Speaker	

NOES: 010

Akin	Cooper	Froelker	Kelley 47	Kelly 27
Lograsso	Marshall 26	Scott	Smith	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Childers	Garnett	Green	Gunn
Hand	O'Neill	Pauley	Thompson 37	Vogel
Ward	Whiteside	Williams 121		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Monaco moved that the vote by which the bill passed be reconsidered.

Representative Hoppe moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS #5 SCS HCS HBs 800, 812, 817 and 821: Representatives Hosmer, Schilling, Smith, Murray (131) and Wooten.

On motion of Representative Backer, the House recessed until 1:15 p.m.

AFTERNOON SESSION

The hour of recess having expired, the House was called to order by the Speaker.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Daniel Jacob, Jessica Jacob, LaShawna Evans, Suzie Alger, Jason Kern, Jillian Brinkman, Chris Smith and Zachary Towers.

RESOLUTIONS

Representative Gross offered House Resolution No. 1400, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Boucher offered House Resolution Nos. 1401 through 1404, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Hartzler (124) offered House Resolution Nos. 1405 and 1406, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Mays (50) offered House Resolution Nos. 1407 and 1408, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative McLuckie offered House Resolution No. 1409, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Crum offered House Resolution Nos. 1410 and 1411, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Smith offered House Resolution No. 1412, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Troupe offered House Resolution No. 1413, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Treadway offered House Resolution No. 1414, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representatives Gross and Griesheimer offered House Resolution No. 1415, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Monaco offered House Resolution Nos. 1416 and 1417, which were referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Carter offered House Resolution No. 1418, which was referred to the Committee on Miscellaneous Bills and Resolutions.

Representative Ross offered House Resolution No. 1419, which was referred to the Committee on Miscellaneous Bills and Resolutions.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Miscellaneous Bills and Resolutions, to which was referred **House Resolution Nos. 1227, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418 and 1419**, begs leave to report it has examined the same and recommends that they **Do Pass**.

COURTESY RESOLUTIONS

House Resolution Nos. 1227, 1229 through 1287, 1289 through 1398 and 1400 through 1419 were taken up by Representative Backer.

On motion of Representative Backer, House Resolution Nos. 1227, 1229 through 1287, 1289 through 1398 and 1400 through 1419 were adopted.

HOUSE RESOLUTION

Representative Troupe offered House Resolution No. 1399 which was read.

HOUSE RESOLUTION NO. 1399

WHEREAS, the members of the Missouri House of Representatives regard the issue of preserving the health and well-being of the citizens of this state as a primary function of this legislative body; and

WHEREAS, AIDS (Acquired Immune Deficiency Syndrome) and AIDS-related diseases represent a serious health threat to a large segment of the population without regard to age, sex, race, sexual orientation, or socioeconomic status; and

WHEREAS, the fatal disease of AIDS has spread throughout this nation to the point where it has left no community untouched; and

WHEREAS, now more than ever, each citizen of the state of Missouri faces a substantial risk of being personally affected either directly or indirectly by the growing threat of AIDS; and

WHEREAS, exposure to HIV and the fatal chain of events leading to AIDS can be minimized by education,

understanding, and changes in behaviors; and

WHEREAS, public institutions, public and private organizations, businesses, and individual citizens should all join in the effort to increase awareness and knowledge of this serious health menace:

NOW, THEREFORE, BE IT RESOLVED by the members of the Missouri House of Representatives of the Eighty-eighth General Assembly, the House of Representatives concurring therein, that an interim committee of the General Assembly be created, to be appointed by the Speaker of the House of Representatives, and that said committee be authorized to function during the interim between the Eighty-eighth and the Eighty-ninth General Assemblies; and

BE IT FURTHER RESOLVED that said committee make a comprehensive, in-depth study of the problem of AIDS and AIDS-related diseases in Missouri to determine what further measures, if any, need to be taken at the state level to combat this growing problem; and

BE IT FURTHER RESOLVED that the committee prepare a report, together with its recommendations for any legislative action it deems necessary for submission to the First Regular Session of the Eighty-ninth General Assembly; and

BE IT FURTHER RESOLVED that House Research provide such legal, research, clerical, technical and bill drafting services as the committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the committee, its members, and any staff personnel assigned to the committee incurred in attending meetings of the committee or any subcommittee thereof, be paid from the House Contingent Fund.

On motion of Representative Troupe, Rule 63 was suspended and House Resolution No. 1399 was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1362**, entitled:

An act to repeal sections 197.300, 197.305, 197.317 and 334.030, RSMo 1994, section 197.312, RSMo Supp. 1995, and section 197.318, as truly agreed to and finally passed in house committee substitute for senate bill no. 575, second regular session of the 88th general assembly and signed by the governor on February 20, 1996, relating to the Missouri health certificate of need law, and to enact seven new sections relating to the same subject, with penalty provisions and an emergency clause.

With Senate Amendment Nos. 2 and 3.

Senate Amendment No. 2

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1362, page 2, section 197.305, line 13, of said page, by inserting immediately after said line, the following:

"**(5) "Continuing care retirement community", a continuing care retirement community provides at the same site or location independent housing, long-term health care and other services to older persons not related by blood or marriage to the owner or operator of the continuing care retirement community under an agreement effective for the life of the person or a specified period of time in excess of one year which guarantees or provides priority access to on-site health related long-term care services when needed;**"; and

Further amend said section, by renumbering the remaining subdivisions accordingly; and

Further amend said section, page 4, line 3 of said page, by inserting immediately after the word "fewer" the following: "**and any continuing care retirement community referred to in subsection 8 of section 197.318, provided, however, that the expansion provided under said section is no more than ten beds or ten percent of total bed capacity, whichever is less, over a two-year period**"; and

Further amend said bill, page 10, section 197.318, line 10, of said page, by inserting immediately after said line, the following:

"**8. The provisions of section 197.317 shall not apply to any continuing care retirement community in existence on July 1, 1996, and bound by a contractual obligation on or before said date to provide residential and/or skilled nursing care in a residential care facility I, residential care facility II or skilled nursing facility, as applicable upon demand or demonstrated need of any resident of the continuing care retirement community, which continuing care retirement community must expand its residential care facility I beds, residential care facility II beds and/or skilled nursing facility beds at the same site or location in order to satisfy its obligations to residents of the continuing care retirement community as evidenced by the actual or reasonably anticipated lack of available residential care facility I beds, residential care facility II beds or skilled nursing facility beds to meet the aforesaid demands or needs. Such qualifying continuing care retirement community may add such beds as are necessary to meet the reasonably foreseeable needs of its residents.**"

Senate Amendment No. 3

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1362, page 1, section A, line 8, of said section, by inserting immediately after said line, the following:

"43.540. 1. As used in this section, the following terms mean:

(1) "Criminal record review", a request to the highway patrol for information concerning any criminal history record for a felony or misdemeanor;

(2) "Patrol", the Missouri state highway patrol;

(3) "Provider", any licensed day care home, licensed day care center, licensed child placing agency, licensed residential care facility for children, licensed group home, licensed foster family group home, [or] licensed foster family home**, any person, corporation or association licensed as an operator under chapter 198, RSMo, any person, corporation or association who provides in-home services, any person, corporation or association who employs nurses and nursing assistants for temporary or intermittent placement in health care facilities, or any entity licensed under chapter 197, RSMo;**

(4) "Patient", a person who by reason of aging, illness, disease or physical or mental infirmity receives or requires care and services furnished by a provider as defined in this section;

[(4)] **(5)** "Youth services agency", any public or private agency, school, or association which provides programs, care or treatment for or which exercises supervision over minors.

2. Upon receipt of a written request from a youth service agency or a provider, with the written consent of the applicant, the highway patrol shall conduct a criminal record review of an applicant for a paid or voluntary position with the agency or provider if such position would place the applicant in [direct] contact with minors **or patients as defined in this section**.

3. Any request for information made pursuant to the provisions of this section shall be on a form provided by the highway patrol**,** [and] shall be signed by the person who is the subject of the request[.]**, and shall include a money order or check payable to the state of Missouri to cover the costs of the criminal record review. When a person applies for a paid position, the provider or the applicant shall pay for the criminal record review. When a person applies for a voluntary position, the provider shall pay for the criminal record review. Fees for a criminal record review shall not exceed the fees in section 43.530, RSMo. Each request shall be limited to one individual.**

4. **Pursuant to sections 43.507 and 610.120, RSMo,** the patrol shall respond in writing to the youth service agency or provider making a request for information under this section **as soon as possible but not to exceed two weeks** and shall inform such youth service agency or provider of the nature of the offense, and the date, place and court. Notwithstanding any other provision of law to the contrary, the youth service agency or provider making such request shall have access to all records of arrests resulting in an adjudication where the applicant was found guilty or entered a plea of guilty or nolo contendere in a prosecution under sections 566.010 to 566.141, RSMo, or under the laws of any state or the United States for offenses described in sections 566.010 to 566.141, RSMo, during the period of any probation imposed by the sentencing court.

5. Any information received by a provider or a youth services agency under this section shall be **provided to the department of health and shall be** used solely for the **department of health's** providers**,** or youth service agencies' internal purposes in determining the suitability of an applicant or volunteer. The information shall be confidential and any person who discloses the information beyond the scope allowed in this section shall be subject to a class A misdemeanor. The patrol shall inform, in writing, the **department of health, the** provider or youth services agency of the requirements of this subsection and the penalties therein at the time it releases any information under this section."; and

Further amend said bill, page 13, section 344.030, line 24 of said page, by inserting immediately after said line, the following:

"**660.317. 1. Before hiring any applicant for a paid or voluntary position, any person, corporation or association who:**

(1) Is licensed as an operator under chapter 198, RSMo;

(2) Provides in-home services under contract with the department;

(3) Employs nurses and nursing assistants for temporary or intermittent placement in health care facilities; or

(4) Is an entity licensed under chapter 197, RSMo, shall ascertain if such applicant for a paid or voluntary position is on the employee disqualification list and shall request a criminal background check as provided in section 610.120.

2. Failure by any person, corporation or association identified in subsection 1 of this section to ascertain if such applicant for a paid or voluntary position is on the employee disqualification list and to request a criminal background check as provided in section 610.120, RSMo, shall be a class A misdemeanor."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SS #5 SCS HCS HB 800, 812, 817 and 821, as amended**: Senators Caskey, Moseley, Maxwell, Graves and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HS HCS SS SCS SB 722, as amended**: Senators Moseley, Caskey, Quick, Westfall and Sims.

MOTION

SS SCS HB 1362, as amended, was taken up by Representative Evans.

Representative Evans moved that the House refuse to adopt **SS SCS HB 1362, as amended,** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #3 on **HCS HB 991, as amended**, and has taken up and passed **HCS HB 991, as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 1362, as amended,** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators McKenna, Mathewson, Johnson, Kenney and Flotron.

THIRD READING OF SENATE BILLS

SB 805, with HS, as amended, pending, relating to minority scholarships in environmental studies, was again taken up by Representative Bland.

Representative McClelland offered House Amendment No. 3.

House Amendment No. 3

AMEND House Substitute for Senate Bill No. 805, page 4, section 9, line 10, by inserting immediately after said line the following:

"10. Colleges and universities described in this section shall include public community colleges."

On motion of Representative McClelland, House Amendment No. 3 was adopted.

Representative Kauffman offered House Amendment No. 4.

House Amendment No. 4

AMEND House Substitute for Senate Bill No. 805, page 4, section 640.240, line 4, by adding after the word "actual" the words "and necessary"

On motion of Representative Kauffman, House Amendment No. 4 was adopted.

Representative Shields offered House Amendment No. 5.

House Amendment No. 5

AMEND House Substitute for Senate Bill No. 805, page 2, section 640.240, line 8, by deleting from said line the words "general revenue"

Representative Shields moved that House Amendment No. 5 be adopted.

Which motion was defeated by the following vote:

AYES: 065

Akin	Alter	Ballard	Barnett 4	Bartelsmeyer
Bennett 15	Boatright	Broach	Brown	Burton
Champion	Chrismer	Cierpiot	Edwards-Pavia	Elliott
Enz	Evans	Foster	Froelker	Garnett

Gaskill	Graham	Griesheimer	Gross	Hall
Hartzler 124	Hegeman	Hendrickson	Hohulin	Howerton
Kasten	Keeven	Kelley 47	Kissell	Legan
Linton	Long	Loudon	Luetkenhaus	Marble
Marshall 133	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Pouche	Pryor	Ridgeway	Robirds
Sallee	Schwab	Scott	Secrest	Shields
Sombart	Steen	Summers	Surface	Treadway
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

NOES: 089

Auer	Backer	Barry 100	Bland	Bonner
Boucher	Bray 84	Canuteson	Carter	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Gibbons	Goward	Gratz
Green	Hagan-Harrell	Harlan	Hartzler 123	Heckemeyer
Hickey	Hoppe	Hosmer	Jacob	Kauffman
Kelly 27	Klumb	Kreider	Lakin	Leake
Levin	Liese	Lograsso	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
O'Connor	O'Toole	Overschmidt	Pauley	Prost
Relford	Reynolds	Richardson	Rizzo	Ross
Scheve	Schilling	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Stokan	Stoll	Tate
Thomason 163	Thompson 37	Troupe	Van Zandt	Wiggins
Williams 121	Williams 159	Witt	Mr. Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Childers	Gunn	Hand	Koller	O'Neill
Ribaudo	Sears 1	Ward		

VACANCY: 001

Representative Kauffman offered House Amendment No. 6.

House Amendment No. 6

AMEND House Substitute for Senate Bill No. 805, page 4, section 640.240, line 5, by deleting lines 5 through 10

On motion of Representative Kauffman, House Amendment No. 6 was adopted.

Representative Hohulin offered House Amendment No. 7.

House Amendment No. 7

AMEND House Substitute for Senate Bill No. 805, page 1, section 640.240, lines 4 and 5, by removing the words: "Minority and Underrepresented"; and

Further amend said bill, page 1, line 11, by deleting the word: minority; and

Further amend said bill, page 1, lines 12-15, by deleting all of said sentence; and

Further amend said bill, page 1, lines 16 and 17, by deleting the words: minority and underrepresented; and

Further amend said bill, page 3, line 8, by deleting the word: Minority; and

Further amend said bill, page 4, line 11, by adding one new section to read as follows:

10. Scholarships shall be awarded without regard to race, color, or ethnic origin with priority given to the economically disadvantaged.

Representative Hohulin moved that House Amendment No. 7 be adopted.

Which motion was defeated.

On motion of Representative Bland, **HS SB 805, as amended**, was adopted.

On motion of Representative Bland, **HS SB 805, as amended,** was read the third time and passed by the

following vote:

AYES: 096

Auer	Backer	Bland	Bonner	Boucher
Bray 84	Broach	Canuteson	Carter	Clayton
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Franklin	Gibbons	Green	Hagan-Harrell
Harlan	Hartzler 123	Heckemeyer	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kauffman
Kelley 47	Kelly 27	Klumb	Koller	Lakin
Leake	Liese	Lograsso	Lumpe	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
O'Connor	O'Toole	Overschmidt	Pauley	Prost
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Ross	Sallee	Scheve	Schilling
Scott	Sears 1	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Sombart	Stokan	Stoll
Summers	Tate	Thomason 163	Thompson 37	Troupe
Van Zandt	Wiggins	Williams 121	Williams 159	Witt

Mr. Speaker

NOES: 060

Akin	Alter	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Boatright	Brown	Burton
Champion	Childers	Chrismer	Cierpiot	Edwards-Pavia
Elliott	Enz	Evans	Foster	Froelker
Garnett	Gaskill	Graham	Gratz	Griesheimer
Gross	Hall	Hartzler 124	Hegeman	Hohulin
Kasten	Keeven	Kissell	Kreider	Legan
Levin	Linton	Long	Loudon	Luetkenhaus
Marble	Murray 135	Naeger	Nordwald	Oetting
Ostmann	Pouche	Pryor	Robirds	Schwab
Secrest	Shields	Steen	Surface	Treadway
Vogel	Wannenmacher	Whiteside	Wieland	Wooten

PRESENT: 000

ABSENT WITH LEAVE: 006

Goward	Gunn	Hand	Marshall 133	O'Neill

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Hoppe, title to the bill was agreed to.

Representative Klumb moved that the vote by which the bill passed be reconsidered.

Representative Skaggs moved that motion lay on the table.

The latter motion prevailed.

HCS SCS SB 708, relating to petroleum storage tanks, was taken up by Representative Rizzo.

Representative Rizzo offered House Amendment No. 1.

House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 708, page 1, section 319.100, line 7, by inserting immediately after the word "**section**" the following:

"or aboveground storage tanks at petroleum pipeline terminals"; and

Further amend said bill, page 5, section 319.129, subsection 8, line 56, by deleting the word "reimburse" and inserting in lieu thereof the word "**compensate**"; and

Further amend said bill, page 5, section 319.129, subsection 8, line 57, by deleting the word "this"; and

Further amend said bill, page 5, section 319.129, subsection 8, line 58, by inserting immediately after the word "subsection" the following: "**8 of this section**"; and

Further amend said bill, page 5, section 319.129, subsection 8, line 58, by deleting the word "reimbursement" and inserting in lieu thereof the word "**compensation**"; and

Further amend said bill, page 5, section 319.129, subsection 9, line 60, by deleting the words "purposes or which the fund is established" and inserting in lieu thereof the following:

"**fiduciary management of** the fund"; and

Further amend said bill, section 319.129, subsection 12, line 71, by deleting the words "fund administration and fiduciary oversight" and by inserting in lieu thereof the following:

"fiduciary **management of the fund**"; and

Further amend said bill, section 319.129, subsection 12, line 72, by inserting immediately after the figure "319.137." the following:

"**In no case shall the board have oversight regarding environmental cleanup standards for petroleum storage tanks.**"

On motion of Representative Rizzo, House Amendment No. 1 was adopted.

Representative Klumb offered House Amendment No. 2.

Representative Elliott raised a point of order that House Amendment No. 2 is not germane to the bill.

The Chair ruled the point of order well taken.

Representative Gratz offered House Amendment No. 2.

House Amendment No. 2

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 708, page 9, section 319.131, lines 120-130, by deleting all of said lines and inserting in lieu thereof the following:

(2) **An owner or operator who submits a request as provided in this subsection is not required to bid the costs and expenses associated with professional environmental engineering services. The department may disapprove all or part of the costs and expenses associated with the environmental engineering services if the costs are excessive based upon comparable service costs or current market value of similar services. The owner or operator shall solicit bids for actual remediation and clean up work as provided by rules of the department. The department may by rule establish minimum qualifications for bidders of remediation and clean up work. The environmental engineer retained by the owner or operator shall provide to the department prior to the acceptance of bids for remediation or clean up estimates of reasonable anticipated costs of remediation or clean up work. Bids for any remediation or clean up work must be submitted to the department prior to commencement of remediation work and unless disapproved by the department, the contract for remediation or clean up work shall be awarded to the lowest responsive responsible bidder. The department shall have the right to reject any or all bids for failure to meet minimum qualifications or for submitting a bid in excess of reasonable cost estimates for the project. If hidden or changed conditions are encountered during remediation or clean up work, which were not stated in the environmental engineer's estimate of costs submitted to the department, the owner or operator shall submit a statement of such additional cost to the department for approval, if reimbursement is requested from the fund.**

On motion of Representative Gratz, House Amendment No. 2 was adopted.

Representative Griesheimer offered House Amendment No. 3.

House Amendment No. 3

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 708, page 10, section 319.132, line 19, by deleting the word "**twenty**" and inserting in lieu thereof the word "**twelve**".

On motion of Representative Griesheimer, House Amendment No. 3 was adopted.

On motion of Representative Rizzo, **HCS SCS SB 708, as amended**, was adopted.

On motion of Representative Rizzo, **HCS SCS SB 708, as amended,** was read the third time and passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Linton
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 001

Hosmer

PRESENT: 001

Tate

ABSENT WITH LEAVE: 010

Franklin	Goward	Gunn	Hand	Kelley 47
Liese	Lograsso	O'Neill	Ward	Whiteside

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Carter moved that the vote by which the bill passed be reconsidered.

Representative Crum (112) moved that motion lay on the table.

The latter motion prevailed.

SB 781, with House Committee Amendment No. 1, relating to county reimbursement, was taken up by Representative Carter.

Representative Crump (152) offered House Substitute Amendment No. 1 for House Committee Amendment No. 1.

House Substitute Amendment No. 1

for

House Committee Amendment No. 1

AMEND Senate Bill No. 781, page 3, section 221.105, line 47, by inserting immediately after the word "appropriations" the following: "**, but not less than the amount appropriated in the previous fiscal year**".

On motion of Representative Crump (152), House Substitute Amendment No. 1 for House Committee Amendment No. 1 was adopted.

Representative Relford offered House Amendment No. 1.

Representative Carter raised a point of order that House Amendment No. 1 goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Carter, **SB 781, as amended,** was read the third time and passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelley 47	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Franklin	Goward	Gunn	Hand	Kelly 27
O'Neill	Ward	Williams 121		

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Heckemeyer, title to the bill was agreed to.

Representative Hosmer moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS SCS HB 1362: Representatives Evans, Lakin, Smith, Copeland and Hartzler (123)

THIRD READING OF SENATE BILL

SB 489, relating to youth offender program, was taken up by Representative Carter.

On motion of Representative Carter, **SB 489** was truly agreed to and finally passed by the following vote:

AYES: 152

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Ribaudo	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin	Franklin	Goward	Gunn	Hand
Kelley 47	Murphy	O'Neill	Ward	Williams 121

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Gratz, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

Representative Witt assumed the Chair.

BILLS IN CONFERENCE

CONFERENCE COMMITTEE REPORT
ON SENATE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 1237

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for House Bill No. 1237;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237 with Senate Amendments Nos. 1, 4, 5, 6, 7, 8, Senate Amendment No. 1 to Senate Amendment No. 9, Senate Amendment No. 2 to Senate Amendment No. 9, Senate Amendment No. 9, as amended, Senate Amendment No. 11, Senate Amendment No. 1 to Senate Amendment No. 12, Senate Amendment No. 2 to Senate Amendment No. 12, Senate Amendment No. 3 to Senate Amendment No. 12, Senate Amendment No. 12, as amended, Senate Amendments Nos. 13, 14, 15, 16, 17, 18, 19, 22, 23, Senate Amendment No. 1 to Senate Amendment No. 24, Senate Amendment No. 14, as amended, Senate Amendments Nos. 25, 27, 28, 29, 30, 31, 32, 34, 36, 37, 38, 39, Senate Substitute Amendment No. 1 for Senate Amendment No. 40, Senate Substitute Amendment No. 1 for Senate Amendment No. 41, Senate Amendments Nos. 42 and 43;

3. That the attached Conference Committee Substitute with Conference Committee Amendments Nos. 1 sand 2 for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Henry Rizzo	/s/ Joe Maxwell
/s/ May Scheve	/s/ Franc Flotron
/s/ Larry Thomason	/s/ Mike Lybyer
/s/ Bonnie Sue Cooper	/s/ Emory Melton
/s/ Phil Wannenmacher	/s/ Harry Wiggins

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 114, Setion 620.1039, Subsection 1, Line 3, by deleting "or 143.471" from said line and inserting in lieu thereof the following:

"**143.471 or 148.370**";

And further amend said bill, page 119, section 67.641, subsection 3, line 2 from top of said page, by inserting immediately after the word "government" the following:

"**on August 28, 1989**"

And further amend said bill, section 3, subsection 2, line 1 of said subsection on page 198 and line 1 at the top of page 199, by deleting the following:

"**, and any satellite office or offices,**";

And further amend said bill, page 199, section 5, lines 4 - 7 of said section, by deleting all of said lines and inserting in lieu thereof the following:

"**be located in Jefferson City.**"

Conference Committee Amendment No. 2

AMEND Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bill No. 1237, Page 66, Section 135.247, Subsection 3, Subdivision 3, Lines 6-7, by deleting both of said lines and inserting in lieu thereof the following:

"**an enterprise zone which is located within any city of the third classification which is partially located within a county of the first class with a population of one hundred fifty.**"

CCR SS SCS HS HCS HB 1237, as amended, with Conference Committee Amendment No. 1 and Conference Committee Amendment No. 2, relating to economic development, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **CCR SS SCS HS HCS HB 1237, as amended, with Conference Committee Amendment No. 1 and Conference Committee Amendment No. 2**, was adopted by the following vote:

AYES: 134

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot

Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Ford	Foster	Franklin
Garnett	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Hagan-Harrell	Hall	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Jacob	Kasten
Kauffman	Keeven	Kelley 47	Kelly 27	Kissell
Klumb	Koller	Lakin	Leake	Levin
Liese	Lograsso	Long	Luetkenhaus	Lumpe
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Overschmidt	Pauley	Pouche	Prost
Relford	Reynolds	Ribaudo	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 022

Akin	Bennett 15	Burton	Elliott	Enz
Foley	Froelker	Gaskill	Hohulin	Howerton
Kreider	Legan	Linton	Loudon	Marble
Marshall 26	Ostmann	Pryor	Ridgeway	Steen
Surface	Whiteside			

PRESENT: 000

ABSENT WITH LEAVE: 006

Goward	Gunn	Hand	Marshall 133	O'Neill

Ward

VACANCY: 001

On motion of Representative Rizzo, **CCS SS SCS HS HCS HB 1237, as amended by the CCR,** was read the third time and passed by the following vote:

AYES: 139

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Garnett	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hoppe	Hosmer
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Kissell	Klumb	Koller	Lakin
Leake	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Lumpe	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Stokan	Stoll	Summers	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams

Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 018

Akin	Burton	Elliott	Enz	Froelker
Gaskill	Hohulin	Howerton	Kreider	Legan
Loudon	Marble	Marshall 26	Marshall 133	Pryor
Steen	Surface	Whiteside		

PRESENT: 000

ABSENT WITH LEAVE: 005

Goward	Gunn	Hand	O'Neill	Ward

VACANCY: 001

Representative Witt declared the bill passed.

On motion of Representative Bonner, title to the bill was agreed to.

Representative Boucher moved that the vote by which the bill passed be reconsidered.

Representative Carter moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HS HCS SS SCS SB 722, as amended**, and has taken up and passed **CCS HS HCS SS SCS SB 722**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representative that the Senate refuses to concur in **HS HCS SS SS SB 488, as amended,** and request the House to recede from its position and take up and pass **SS SS SB 488**.

THIRD READING OF SENATE BILL

SB 768, relating to Missouri family trust, was taken up by Representative Klumb.

Representative Klumb offered **HS SB 768**.

Representative Klumb offered House Amendment No. 1.

House Amendment No. 1

AMEND House Substitute for Senate Bill No. 768, page 17, section 5, by adding after said section, the following:

"**Section 6. It is the public policy of this state to recognize marriage only between a man and a woman.**"; and

Further amend title and enacting clause accordingly.

Representative Gratz offered House Substitute Amendment No. 1 for House Amendment No. 1.

House Substitute Amendment No. 1
for
House Amendment No. 1

AMEND House Substitute for Senate Bill No. 768, page 17, section 5, by inserting after said section, the following:

"**Section 6. 1. It is the public policy of this state to recognize marriage only between a man and a woman.**

2. Any purported marriage not between a man and a woman is invalid.

3. No recorder shall issue a marriage license, except to a man and a woman."; and

Further amend title and enacting clause accordingly.

Representative Klumb raised a point of order that House Substitute Amendment No. 1 for House Amendment No. 1 is not germane to the bill.

Representative Witt requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

The Speaker resumed the Chair.

On motion of Representative Gratz, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Canuteson	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Vogel
Wannenmacher	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 012

Bray 84	Carter	Davis	Days	Farmer
Harlan	Lumpe	Morgan	Shear 83	Thompson 37
Van Zandt	Witt			

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42	Goward	Gunn	Hand	Kelley 47
O'Neill	Ward			

VACANCY: 001

On motion of Representative Klumb, **HS SB 768, as amended,** was adopted.

On motion of Representative Klumb, **HS SB 768, as amended,** was read the third time and passed by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Canuteson	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-

Harrell				
Hall	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	
Luetkenhaus				
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	
Montgomery				
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	
Overschmidt				
Pauley	Pouche	Prost	Pryor	Relford
Reynolds	Ribaudo	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Sheldon
104				
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 011

Bray 84	Carter	Davis	Days	Farmer
Harlan	Lumpe	Morgan	Shear 83	Van Zandt

Witt

PRESENT: 000

ABSENT WITH LEAVE: 007

Daniel 42	Goward	Gunn	Hand	Kelley 47
O'Neill	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Copeland, title to the bill was agreed to.

Representative Canuteson moved that the vote by which the bill passed be reconsidered.

Representative Green moved that motion lay on the table.

The latter motion prevailed.

BILLS IN CONFERENCE

Representative May (108) assumed the Chair.

CONFERENCE COMMITTEE REPORT FOR SENATE SUBSTITUTE FOR HOUSE BILL NO. 1432

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee from the Senate on Senate Substitute for House Bill No. 1432, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1432;

2. That the Senate recede from its position on Senate Substitute for House Bill No. 1432;

3. That the attached Conference Committee Substitute for Senate Substitute for House Bill No. 1432, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Sam Leake	/s/ Ed Quick
/s/ Gene Copeland	/s/ Bill McKenna
/s/ Chris Liese	/s/ Sidney Johnson
/s/ Phil Wannenmacher	/s/ Irene Treppler
/s/ Mark Elliott	/s/ David Klarich

The Speaker resumed the Chair.

CCR SS HB 1432, relating to consumer loan act, was taken up by Representative Leake.

On motion of Representative Leake, **CCR SS HB 1432** was adopted by the following vote:

AYES: 146

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Broach	Brown	Burton
Canuteson	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 007

Backer	Bray 84	Carter	Farmer	Harlan
Secrest	Thompson 37			

PRESENT: 000

ABSENT WITH LEAVE: 009

Goward	Gunn	Hand	Kelley 47	Kelly 27
Marshall 133	O'Neill	Ward	Whiteside	

VACANCY: 001

On motion of Representative Leake, **CCS SS HB 1432** was read the third time and passed by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten

Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 159	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 001

Witt

ABSENT WITH LEAVE: 007

Goward	Gunn	Hand	Kelley 47	O'Neill
Ward	Williams 121			

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Burton
Canuteson	Carter	Champion	Childers	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Hagan-Harrell	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hickey	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelly 27
Kissell	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wiggins	Williams 159
Wooten	Mr. Speaker			

NOES: 011

Akin	Brown	Chrismer	Gross	Hall
Hendrickson	Hohulin	Lograsso	Loudon	Steen

Wieland

PRESENT: 001

Witt

ABSENT WITH LEAVE: 008

Goward	Gunn	Hand	Harlan	Kelley 47
O'Neill	Ward	Williams 121		

VACANCY: 001

On motion of Representative Kissell, title to the bill was agreed to.

Representative Hoppe moved that the vote by which the bill passed be reconsidered.

Representative O'Toole moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2
FOR HOUSE SUBSTITUTE
FOR SENATE BILL NO. 757

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for Senate Bill No. 757, with HAs 1, 2, 3 and Part I of HA 4, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on HS SB 757, as amended;

2. That House Substitute for Senate Bill No. 757 with HAs 1, 2, 3, Part I of HA 4, as amended, and CCA 1 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Jim Sears	/s/ Joe Maxwell
/s/ Sam Leake	/s/ Jerry Howard
/s/ Gary Wiggins	/s/ Mike Lybyer
/s/ Don Summers	/s/ Morris Westfall
/s/ Jim Howerton	/s/ John T. Russell

Conference Committee Amendment No. 1

Amend House Substitute for Senate Bill No. 757, page 1, in the title, line 4, by inserting immediately after "1994," the following: "and section 644.031, RSMo Supp. 1995,"; and further amend lines 4-5, by striking the words "joint municipal utility commissions" and inserting in lieu thereof the following: "water pollution control"; and

Further amend the title and enacting clause accordingly

CCR #2 HS SB 757, as amended, relating to water pollution control bonds, was taken up by Representative Sears (1).

On motion of Representative Sears (1), **CCR #2 HS SB 757, as amended,** was adopted by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Heckemeyer
Hegeman	Hendrickson	Hickey	Hohulin	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin

Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Franklin	Goward	Gunn	Hand	Kelley 47
O'Neill	Ward			

VACANCY: 001

On motion of Representative Sears (1), **HS SB 757, as amended by the CCR,** was truly agreed to and finally passed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Goward	Gunn	Hand	Kelley 47	O'Neill
Ward				

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Auer, title to the bill was agreed to.

Representative Van Zandt moved that the vote by which the bill passed be reconsidered.

Representative Overschmidt moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT
FOR CONFERENCE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 664

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Bill No. 664 with HA 1, HA 2, HA 3, as amended, and HA 4, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on SB 664;

2. That the House recede from its position on SB 664 with HA 1, 2, HA 3, as amended, and HA 4;

3. That the attached Conference Committee Substitute for Senate Bill No. 664, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Ed Hartzler	/s/ David Klarich
/s/ Gene Copeland	/s/ Emory Melton
/s/ Sam Leake	/s/ Edward E. Quick
/s/ Joseph L. Treadway	/s/ Harold L. Caskey
/s/ Mark L. Richardson	/s/ Joe Maxwell

CCR SB 664, as amended, relating to real estate insurance, was taken up by Representative Hartzler (123).

On motion of Representative Hartzler (123), **CCR SB 664, as amended**, was adopted by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen

Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Goward	Gunn	Hand	Kelley 47	Lumpe
O'Neill	Ward			

VACANCY: 001

On motion of Representative Hartzler (123), **CCS SB 664** was truly agreed to and finally passed by the following vote:

AYES: 155

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Goward	Gunn	Hand	Kelley 47	Kelly 27
O'Neill	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Pauley, title to the bill was agreed to.

Representative Reynolds moved that the vote by which the bill passed be reconsidered.

Representative Rizzo moved that motion lay on the table.

The latter motion prevailed.

MOTION

Representative Dougherty moved that the House refuse to recede from its position on **HS HCS SS SS SB 488, as amended,** and request that the Senate adopt **HS HCS SS SS SB 488, as amended,** and take up and pass the bill.

Which motion was adopted.

THIRD READING OF SENATE BILLS

HCS SCS SBs 604, 666, and 816, relating to professional registration, was taken up by Representative Treadway.

Representative Treadway offered **HS HCS SBs 604, 666 and 816**.

On motion of Representative Treadway, **HS HCS SBs 604, 666 and 816** was adopted.

On motion of Representative Treadway, **HS HCS SBs 604, 666 and 816** was read the third time and passed by the following vote:

AYES: 150

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 002

Edwards-Pavia	Froelker

PRESENT: 000

ABSENT WITH LEAVE: 010

Akin	Crump 152	Goward	Gunn	Hand
Kelley 47	Klumb	O'Neill	Ribaudo	Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Relford, title to the bill was agreed to.

Representative Montgomery moved that the vote by which the bill passed be reconsidered.

Representative Hagan-Harrell moved that motion lay on the table.

The latter motion prevailed.

HCS SB 836, relating to financial transactions, was taken up by Representative Leake.

On motion of Representative Leake, **HCS SB 836** was adopted.

On motion of Representative Leake, **HCS SB 836** was read the third time and passed by the following vote:

AYES: 152

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Goward	Gunn	Hand	Kelley 47	Levin
Lumpe	O'Neill	Ribaudo	Ward	Whiteside

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell

Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelly 27	Kissell
Koller	Kreider	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Thompson 37
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 003

Hendrickson	Hohulin	Wieland

PRESENT: 001

Witt

ABSENT WITH LEAVE: 013

Bartelsmeyer	Goward	Gunn	Hall	Hand
Kelley 47	Klumb	Lakin	Loudon	O'Neill
Ribaudo	Ward	Whiteside		

VACANCY: 001

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative Stoll moved that the vote by which the bill passed be reconsidered.

Representative Pauley moved that motion lay on the table.

The latter motion prevailed.

Represenative May (108) resumed the Chair.

SCS SB 524, with House Committee Amendment No. 1, relating to boxing regulation, was taken up by Representative Rizzo.

On motion of Representative Rizzo, **House Committee Amendment No. 1** was adopted.

On motion of Representative Rizzo, **SCS SB 524, as amended,** was read the third time and passed by the following vote:

AYES: 130

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Boatright	Bonner
Boucher	Broach	Brown	Canuteson	Carter
Champion	Childers	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Griesheimer	Gross	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	Mays 50	McBride	McClelland	McLuckie

Monaco	Montgomery	Morgan	Murphy	Murray 69
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Treadway	Van Zandt	Vogel	Wannenmacher	Wieland
Wiggins	Williams 121	Williams 159	Wooten	Mr. Speaker

NOES: 007

Bennett 15	Hohulin	Jacob	Loudon	Murray 135
Pouche	Whiteside			

PRESENT: 000

ABSENT WITH LEAVE: 025

Bland	Bray 84	Burton	Chrismer	Daniel 42
Ford	Goward	Green	Gunn	Hagan-Harrell
Hand	Hoppe	Kelley 47	Klumb	Koller
May 108	O'Neill	Pauley	Ribaudo	Shear 83
Thomason 163	Thompson 37	Troupe	Ward	Witt

VACANCY: 001

Representative May (108) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Levin	Liese	Linton
Long	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Prost	Pryor
Relford	Reynolds	Ridgeway	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 016

Akin	Bennett 15	Edwards-Pavia	Froelker	Gross
Hohulin	Jacob	Legan	Lograsso	Loudon
Murray 135	Pouche	Richardson	Steen	Whiteside

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 011

Goward	Gunn	Hand	Kelley 47	O'Neill
Pauley	Ribaudo	Rizzo	Thompson 37	Ward

Wiggins

VACANCY: 001

On motion of Representative Kreider, title to the bill was agreed to.

Representative Heckemeyer moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

The Speaker resumed the Chair.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HSA 1 for HCA 1 to SB 781** and has taken up and passed **SB 781, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SS SCS SB 869, as amended,** and has taken up and passed **HS SS SCS SB 869, as amended**.

Emergency clause defeated.

Seventy-seventh Day-Friday, May 17, 1996

BILLS IN CONFERENCE

CONFERENCE COMMITTEE REPORT
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR SENATE BILLS NOS. 723 & 891

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891 with HAs 1, 2, 3, and 4, HA 1 to HA 5, HA 5, HA 1 to HA 7, HA 7, HA 1 for HA 8, HAs 8, 9 and 10, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on HCS SS SCS SBs 723 & 891 and HAs 1, 2 and 3, HA 1 to HA 5, HA 5, HA 1 to HA 7, HAs 7, 8, 9 and 10;

2. That the House recede from its position on HA 4 and HA 1 to HA 8;

3. That the House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 & 891 with HAs 1, 2 and 3, HA 1 to HA 5, HA 5, HA 1 to HA 7, HAs 7, 8, 9, 10 and CCA 1 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Henry Rizzo	/s/ Ted House
/s/ Brian May (108)	/s/ Sidney Johnson
/s/ Phil Smith	/s/ Harold Caskey
/s/ David Broach	/s/ Larry Rohrbach
/s/ Marilyn Edwards-Pavia	/s/ Betty Sims

Conference Committee Amendment No. 1

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891, page 1, in the title, line 5, by inserting immediately after the word "provisions as it appears the second time on said line, the following: ", with an emergency clause for certain sections; and further amend said bill, page 4, section 50.333, lines 91 through 96, by striking all of line 91 after "term." and by striking all of lines 92- 96 and inserting in lieu thereof the following: "**If the salary commission votes to decrease the compensation, a vote of two-thirds or more of all the members of the salary commission shall be required before the salary or other compensation of any county office shall be decreased below the compensation being paid for the particular office on the date the salary commission votes, and all officers and offices shall receive the same percentage decrease.**"; and

Further amend said bill, page 10, section 67.641, line 22, by inserting immediately after";
said line the following:

"67.475. **In counties of the first classification on the effective date of this section,** the total amount of city or county general obligation bond indebtedness incurred for improvements under sections 67.453 to 67.475, including temporary notes issued pursuant to sections 67.453 to 67.475, shall not exceed ten percent of the assessed valuation of all taxable tangible property, as shown by the last completed property assessment for state or local purposes, within the city or county. **In any county which was not a county of the first classification on the effective date of this section, the total amount of city or county general obligation bond indebtedness incurred for improvements under sections 67.453 to 67.475, including temporary notes issued pursuant to sections 67.453 to 67.475, shall not exceed forty percent of the assessed valuation of all taxable real property, as shown by the last completed property assessment for state or local purposes, within the proposed neighborhood improvement district; provided, however, that if a ballot upon which the question of incurring the bonded indebtedness is submitted to all of the qualified voters residing within the city or county and is approved by the percentage of voters within such city or county that is equal to the percentage of voter approval required for the issuance of general obligation bonds of such city or county pursuant to article VI, section 26 of the Missouri constitution, the total amount of city or county general obligation bond indebtedness incurred for improvements under sections 67.453 to 67.475, including temporary notes issued pursuant to sections 67.453 to 67.475, shall not exceed the assessed valuation of all taxable real property, as shown by the last completed property assessment for state or local purposes, within the proposed neighborhood improvement district.** Any city with a population of three hundred fifty thousand or more inhabitants shall appoint a citizen advisory committee composed of members of each council districts on proposed neighborhood improvement district."; and

Further amend said bill, page 13, section 99.430, line 104, by inserting immediately after said line the following:

"473.739. 1. Each public administrator, except in counties of the first class with a charter form of government, who does not receive at least [twenty-five] **forty-five** thousand dollars in fees as otherwise allowed by law shall receive annual compensation of four thousand dollars and each such public administrator who does not receive at least [twenty-five] **forty-five** thousand dollars in fees may request the county salary commission for an increase in annual compensation and the county salary commission may authorize an additional increase in annual compensation not to exceed ten thousand dollars.

2. Two thousand dollars of the compensation authorized in this section shall be payable to the public administrator only if he has completed at least twenty hours of classroom instruction each calendar year relating to the operations of the public administrator's office when approved by a professional association of the county public administrators of Missouri unless exempted from the training by the professional association. The professional association approving the program shall provide a certificate of completion to each public administrator who completes the training program and shall send a list of certified public administrators to the treasurer of each county. Expenses incurred for attending the training session may be reimbursed to the county public administrator in the same manner as other expenses as may be appropriated for that purpose."; and

Further amend said bill, page 14, section 3, line 3, by inserting immediately after said line, the following:

Section B. Because immediate action is necessary to prevent injustice, sections 575.130, 4, 5, 6, 7, 8, 9 and 10 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and sections 575.130, 4, 5, 6, 7, 8, 9 and 10 are hereby declared to be an emergency act within the meaning of the constitution, and this act shall be in full force and effect upon its passage and approval.

Further amend the title and enacting clause accordingly.

CCR HCS SS SCS SBs 723 and 891, as amended, relating to neighborhood improvement districts, was taken up by Representative Smith.

On motion of Representative Smith, **CCR HCS SS SCS SBs 723 and 891, as amended**, was adopted by the following vote:

AYES: 135

Alter	Backer	Ballard	Barnett 4	Barry 100
Bartelsmeyer	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Froelker	Garnett
Gaskill	Gibbons	Graham	Gratz	
Griesheimer				
Hagan-Harrell	Hall	Harlan	Heckemeyer	Hegeman
Hickey	Hoppe	Hosmer	Howerton	Jacob

Kasten	Keeven	Kelly 27	Kissell	Klumb
Koller	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 013

Akin	Auer	Green	Gross	Hartzler 123
Hartzler 124	Hendrickson	Kauffman	Kreider	Loudon
Marshall 133	Sombart	Treadway		

PRESENT: 000

ABSENT WITH LEAVE: 014

Franklin	Goward	Gunn	Hand	Hohulin
Kelley 47	Montgomery	Morgan	O'Neill	Pauley
Ribaudo	Thompson 37	Troupe	Ward	

VACANCY: 001

On motion of Representative Smith, **HCS SS SCS SBs 723 and 891, as amended by the CCR,** was truly agreed to and finally passed by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Harlan	Hartzler 123	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelly 27	Koller
Kreider	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Luetkenhaus	Lumpe
Marble	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pouche	Prost	Pryor	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 004

Hartzler 124	Hohulin	Loudon	Marshall 133

PRESENT: 000

ABSENT WITH LEAVE: 014

Daniel 42	Daniels 41	Goward	Gunn	Hand
Kelley 47	Kissell	Klumb	Lakin	O'Neill
Pauley	Ribaudo	Ward	Whiteside	

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 143

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Hartzler 123	Heckemeyer	Hegeman	Hendrickson	Hickey
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Luetkenhaus
Lumpe	Marble	Marshall 26	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Murphy	Murray 69	Murray 135	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Ostmann	Overschmidt
Pauley	Pouche	Prost	Relford	Reynolds
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Whiteside	Wiggins	Williams 121	Williams 159
Witt	Wooten	Mr. Speaker		

NOES: 005

Hartzler 124	Hohulin	Loudon	Marshall 133	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 014

Crump 152	Foley	Goward	Gunn	Hand
Harlan	Kelley 47	Klumb	Morgan	O'Neill
Pryor	Ribaudo	Shields	Ward	

VACANCY: 001

On motion of Representative Hosmer, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative Wiggins moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE

FOR HOUSE BILLS NOS. 1169 AND 1271

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on SCS HS HCS HBs 1169 and 1271, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on HS HCS HBs 1169 and 1271;

2. That the Senate recede from its position on SCS HS HCS HBs 1169 and 1271, as amended;

3. That the attached CCS SCS HS HCS HBs 1169 and 1271 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Deleta Williams (121)	/s/ Harold L. Caskey
/s/ Craig Hosmer	/s/ Joe Moseley
Phil Smith	/s/ Ed Quick
/s/ Mary Lou Sallee	/s/ Morris Westfall
/s/ Marilyn Edwards-Pavia	/s/ Betty Sims

CCR SCS HS HCS HBs 1169 and 1271, relating to zero tolerance, was taken up by Representative Williams (121).

On motion of Representative Williams (121), Rule 60 was suspended by the following vote:

AYES: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Green	Gross	Hagan-Harrell	Hall	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 008

Clayton	Gratz	Griesheimer	Hohulin	Murphy
Treadway	Wieland	Wiggins		

PRESENT: 000

ABSENT WITH LEAVE: 010

Goward	Gunn	Hand	Kelley 47	Lumpe
Marshall 133	O'Neill	Ribaudo	Thompson 37	Ward

VACANCY: 001

On motion of Representative Williams (121), **CCR SCS HS HCS HBs 1169 and 1271** was adopted by the following vote:

AYES: 139

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Edwards-Pavia	Elliott	Enz	Evans
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gross	Hagan-Harrell	Hall
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hohulin	Hoppe	Hosmer	Howerton
Kasten	Kauffman	Keeven	Kelly 27	Kissell
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Thomason 163	Thompson 37	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Wooten	Mr. Speaker	

NOES: 014

Auer	Clayton	Farmer	Gratz	Green
Griesheimer	Hickey	Jacob	Lograsso	Murray 69
Reynolds	Treadway	Wiggins	Witt	

PRESENT: 000

ABSENT WITH LEAVE: 009

Dougherty	Goward	Gunn	Hand	Kelley 47
Klumb	O'Neill	Ribaudo	Ward	

VACANCY: 001

On motion of Representative Williams (121), **CCS SCS HS HCS HBs 1169 and 1271** was read the third time and passed by the following vote:

AYES: 140

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Daniel 42
Daniels 41	Days	Donovan	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Green	Gross	Hagan-Harrell	Hall	Harlan
Hartzler 123	Hartzler 124	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall 133
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers

Surface	Tate	Thomason 163	Thompson 37	Treadway
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 011

Auer	Clayton	Davis	Gratz	Griesheimer
Heckemeyer	Jacob	Murray 69	Reynolds	Troupe

Wiggins

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Crump 152	Dougherty	Goward	Gunn
Hand	Kelley 47	Klumb	O'Neill	Ribaudo

Ward

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Barry, title to the bill was agreed to.

Representative McLuckie moved that the vote by which the bill passed be reconsidered.

Representative Treadway moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT
FOR HOUSE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE

FOR SENATE BILL NO. 722

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, as amended;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 722;

3. That Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 722, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Deleta Williams (121)	/s/ Joe Moseley
/s/ Craig Hosmer	/s/ Harold R. Caskey
Phil Smith	/s/ Ed Quick
/s/ Mary Lou Sallee	/s/ Morris Westfall
/s/ Marilyn Edwards-Pavia	/s/ Betty Sims

CCR HS HCS SS SCS SB 722, as amended, relating to zero tolerance, was taken up by Representative Hosmer.

On motion of Representative Hosmer, Rule 60 was suspended and **CCR HS HCS SS SCS SB 722, as amended,** was adopted by the following vote:

AYES: 134

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Days	Donovan	Edwards-Pavia

Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hendrickson	Hohulin	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kissell	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Summers
Surface	Tate	Thomason 163	Thompson 37	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 017

Auer	Boatright	Clayton	Davis	Farmer
Gratz	Green	Griesheimer	Heckemeyer	Hickey
Jacob	Lograsso	Murphy	Reynolds	Treadway
Wieland	Wiggins			

PRESENT: 000

ABSENT WITH LEAVE: 011

Dougherty	Goward	Gunn	Hand	Kelley 47
Kelly 27	Klumb	O'Neill	Ribaudo	Stoll

Ward

VACANCY: 001

On motion of Representative Hosmer, **CCS HS HCS SS SCS SB 722** was truly agreed to and finally passed by the following vote:

AYES: 132

Akin	Alter	Backer	Ballard	Barnett 4
Barry 100	Bennett 15	Bland	Boatright	Bonner
Boucher	Bray 84	Broach	Brown	Burton
Canuteson	Carter	Champion	Childers	Chrismer
Cierpiot	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Days	Donovan	Edwards-Pavia
Elliott	Enz	Evans	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Hegeman	Hohulin	Hoppe	Hosmer
Howerton	Kasten	Kauffman	Keeven	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Lumpe	Marble
Marshall 26	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murray 135
Naeger	Nordwald	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Relford
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Troupe	Van Zandt	Vogel	

Wannenmacher				
Whiteside	Wieland	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 018

Auer	Clayton	Davis	Farmer	Gratz
Green	Griesheimer	Heckemeyer	Hendrickson	Hickey
Jacob	Marshall 133	Murphy	Murray 69	O'Connor
Reynolds	Treadway	Wiggins		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Dougherty	Goward	Gunn	Hand
Kelley 47	Kelly 27	O'Neill	Pauley	Ribaudo
Scott	Ward			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Canuteson, title to the bill was agreed to.

Representative Copeland moved that the vote by which the bill passed be reconsidered.

Representative Foley moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 708, as amended,** and has taken up and passed **HCS SCS SB 708, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SB 805, as amended,** and has taken up and passed **HS SB 805, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1081**, entitled:

An act to repeal sections 313.842, 630.167 and 630.460, RSMo 1994, and section 630.053, RSMo Supp. 1995, relating to the department of mental health, and to enact in lieu thereof four new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1081, Page 10, Line 25, by inserting immediately after all of said line the following:

"208.169. 1. Notwithstanding other provisions of this chapter, including but notin limited to sections 208.152, 208.153, 208.159 and 208.162:

(1) There shall be no revisions to a facility's reimbursement rate for providing nursing care services under this chapter upon a change in ownership, management control, operation, stock, leasehold interests by whatever form for any facility previously licensed or certified for participation in the medicaid program. Increased costs for the successor owner, management or leaseholder that result from such a change shall not be recognized for purposes of reimbursement;

(2) In the case of a newly built facility or part thereof which is less than two years of age and enters the Title XIX program under this chapter after July 1, 1983, a reimbursement rate shall be assigned based on the lesser of projected estimated operating costs or one hundred ten percent of the median rate for the facility's class to include urban and rural categories for each level of care including ICF only and SNF and SNF/ICF. The rates set under this provision shall be effective for a period of twelve months from the effective date of the provider agreement at which time the rate for the future year shall be set in accordance with reported costs of the facility recognized under the reimbursement plan and as provided in subdivisions (3) and (4) of this subsection. Rates set under this section may in no case exceed the maximum ceiling amounts in effect under the reimbursement regulation;

(3) Reimbursement for capital related expenses for newly built facilities entering the Title XIX program after March 18, 1983, shall be calculated as the building and building equipment rate, movable equipment rate,

land rate, and working capital rate.

(a) The building and building equipment rate will be the lower of:

a. Actual acquisition costs, which is the original cost to construct or acquire the building, not to exceed the costs as determined in section 197.357, RSMo; or

b. Reasonable construction or acquisition cost computed by applying the regional Dodge Construction Index for 1981 with a trend factor, if necessary, or another current construction cost measure multiplied by one hundred eight percent as an allowance for fees authorized as architectural or legal not included in the Dodge Index Value, multiplied by the square footage of the facility not to exceed three hundred twenty-five square feet per bed, multiplied by the ratio of forty minus the actual years of the age of the facility divided by forty; and multiplied by a return rate of twelve percent; and divided by ninety-three percent of the facility's total available beds times three hundred sixty-five days.

(b) The maximum movable equipment rate will be fifty-three cents per bed day.

(c) The maximum allowable land area is defined as five acres for a facility with one hundred or less beds and one additional acre for each additional one hundred beds or fraction thereof for a facility with one hundred one or more beds.

(d) The land rate will be calculated as:

a. For facilities with land areas at or below the maximum allowable land area, multiply the acquisition cost of the land by the return rate of twelve percent, divide by ninety-three percent of the facility's total available beds times three hundred sixty-five days.

b. For facilities with land areas greater than the maximum allowable land area, divide the acquisition cost of the land by the total acres, multiply by the maximum allowable land area, multiply by the return rate of twelve percent, divide by ninety-three percent of the facility's total available beds times three hundred sixty-five days.

(e) The maximum working capital rate will be twenty cents per day;

(4) If a provider does not provide the actual acquisition cost to determine a reimbursement rate under subparagraph a. of paragraph (a) of subdivision (3) of subsection 1 of this section, the sum of the building and building equipment rate, movable equipment rate, land rate, and working capital rate shall be set at a reimbursement rate of six dollars;

(5) For each state fiscal year a negotiated trend factor shall be applied to each facility's Title XIX per diem reimbursement rate. The trend factor shall be determined through negotiations between the department and the affected providers and is intended to hold the providers harmless against increases in cost. In no circumstances shall the negotiated trend factor to be applied to state funds exceed the health care finance administration market basket price index for that year. The provisions of this subdivision shall apply to fiscal year 1996 and thereafter.

2. The provisions of subdivisions (1), (2), (3), and (4) of subsection 1 of this section shall remain in effect until July 1, 1989, unless otherwise provided by law.

[3. The provisions of this section shall not apply in any respect for any reason to any intermediate care facility exclusively for the mentally retarded/developmentally disabled which entered the Title XIX program after July 1, 1983.]"; and

Further amend said bill, in the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HB 1432**, and has taken up and passed **CCS SS HB 1432**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HS HCS HB 1237, as amended**, and has taken up and passed **CCS SS SCS HS HCS HB 1237, as amended by the CCR**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCA 1 to SCS SB 524** and has taken up and passed **SCS SB 524, as amended**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HS SB 768, as amended,** and has taken up and passed **HS SB 768, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HS HCS HBs 1169 & 1279, as amended**, and has taken up and passed **CCS SCS HS HBs 1169 & 1279**.

Seventy-seventh Day-Friday, May 17, 1996

BILLS IN CONFERENCE

CONFERENCE COMMITTEE REPORT
FOR SENATE SUBSTITUTE NO. 5
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILLS NOS. 800, 812, 817 AND 821

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on SS #5 SCS HCS House Bills Nos. 800, 812, 817 and 821, as amended; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on HCS HBs Nos. 800, 812, 817 and 821;

2. That the Senate recede from its position on SS#5 SCS HCS HBs Nos. 800, 812, 817 and 821, as amended;

3. That the attached CCAs Nos. 1 and 2, and CCS SS #5 SCS HCS HBs Nos. 800, 812, 817 and 821, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Craig Hosmer	/s/ Harold L. Caskey
/s/ Mike Schilling	/s/ Joe Moseley
/s/ Connie Wible Murray (135)	/s/ Sam Graves
/s/ Phil Smith	/s/ Morris Westfall
/s/ Chuck Wooten	/s/ Joe Maxwell

Conference Committee Amendment No. 1
to
Conference Committee Substitute

AMEND Conference Committee Substitute for Senate Substitute #5 for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, page 23, section 211.342, lines 27-28 of said page, by striking all of said lines and inserting in lieu thereof the following:

"**211.342. 1. In addition to all court fees and costs prescribed by law, a surcharge of up to ten dollars shall be assessed as costs in each court proceeding filed in any court within the thirtieth judicial circuit in all criminal cases including violations of any county or municipal ordinance or any violation of a criminal or traffic law of the state, including an infraction, except that no such surcharge shall be collected in any proceeding in any court when the proceeding or defendant has been dismissed by the court or when costs are to be paid by the state, county or municipality. For violations of the general criminal laws of the state or county ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution adopted prior to January 1, 1997, by the county government where the violation occurred. For violations of municipal ordinances, no such surcharge shall be collected unless it is authorized, by order, ordinance or resolution adopted prior to January 1, 1997, by the municipal government where the violation occurred. Such surcharges shall be collected and disbursed by the clerk of each respective court responsible for collecting court costs in the manner provided by section 514.015, RSMo, and shall be payable to the treasurer of the county where the violation occurred.**"; and

Further amend said bill and section, page 24, lines 1-16 of said page, by striking all of said lines; and

Further amend said bill, page 26, section 221.355, line 17 of said page, by inserting immediately after the word "parole" the following: "**or for programs utilized by correctional facilities for inmates who are within one year of their release date**".

Conference Committee Amendment No. 2
to
Conference Committee Substitute

AMEND Conference Committee Substitute for Senate Substitute #5 for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, page 82, section 565.084, line 28 of said page, by inserting immediately before said line, the following:

"565.005. 1. At a reasonable time before the commencement of the first stage of any trial of murder in the first degree at which the death penalty is not waived, the state and defendant, upon request and without order of the court, shall serve counsel of the opposing party with:

(1) A list of all aggravating or mitigating circumstances as provided in subsection 1 of section 565.032, which the party intends to prove at the second stage of the trial;

(2) The names of all persons whom the party intends to call as witnesses at the second stage of the trial;

(3) Copies or locations and custodian of any books, papers, documents, photographs or objects which the party intends to offer at the second stage of the trial. If copies of such materials are not supplied to opposing counsel, the party shall cause them to be made available for inspection and copying without order of the court.

2. The disclosures required in subsection 1 of this section are supplemental to those required by rules of the supreme court relating to a continuing duty to disclose information, the use of matters disclosed, matters not subject to disclosure, protective orders, and sanctions for failure to comply with an applicable discovery rule or order, all of which shall also apply to any disclosure required by this section.

3. If the defendant proposes to offer evidence of mental retardation, he shall file written notice thereof with the court no less than thirty days in advance of trial and list all expert witnesses he intends to call in support of such claim. Thereafter, the court, upon motion of the state or by or on behalf of accused, for the purposes of performing the examination in question or to examine the accused, shall:

(1) Appoint one or more private psychiatrists or psychologists, as defined in section 632.005, RSMo; or

(2) Appoint physicians with a minimum of one year training or experience in providing treatment or services to mentally retarded individuals, who are neither employees nor contractors of the department of mental health; or

(3) Direct the director of the department of mental health or his designee to have the accused so examined by one or more psychiatrists or psychologists, as defined in section 632.005, RSMo, or physicians with a minimum of one year training or experience in providing treatment or services to mentally retarded individuals designated by the director or his designee.

4. No private psychiatrist, psychologist, or physician shall be appointed by the court pursuant to subsection 3 of this section unless he has consented to act. The examinations ordered shall be made at such time and place an under such conditions as the court deems proper; except that if the order directs the director of the department of mental health to have the accused examined, the director, or his designee, shall determine the reasonable time, place and conditions under which the examination shall be conducted. The order may include provisions for the interview of witnesses or the production and examination of records.

5.. Both the state and the defendant may take the deposition of any witness disclosed pursuant to this section.

6. Both the defendant and the state shall, upon written request, be entitled to an order granting them a second examination of the accused by a psychiatrist or psychologist, as defined in section 632.005, RSMo, or a physician with a minimum of one year training or experience in providing treatment or services to mentally retarded individuals, of their own choosing and at their own expense.

7. A claim of mental retardation so as to preclude the death penalty shall constitute an affirmative defense which shall be decided prior to trial by a judge rather than a jury and no interlocutory appeal from an adverse ruling shall be permitted by either side.

8. Whenever evidence relating to the issue of mental retardation under subsection 2 of section 565.020 is offered pursuant to the procedures contained in subsection 3, 4 and 5 of this section, the court shall, after hearing, make findings of fact and conclusions of law, prior to trial or plea, as to the issue.

565.020. 1. A person commits the crime of murder in the first degree if he knowinglyection
causes the death of another person after deliberation upon the matter.

2. Murder in the first degree is a class A felony, and the punishment shall be either death or imprisonment for life without eligibility for probation or parole, or release except by act of the governor [; except that, if a person has not reached his sixteenth birthday at the time of the commission of the crime, the punishment shall be imprisonment for life without eligibility for probation or parole, or release except by act of the governor.] **or except as provided in subsection 3 of this section.**

3. A person is not eligible for the death penalty if at the time of the commission of the offense he has not reached his sixteenth birthday or he has mental retardation as defined in section 630.005, RSMo. This subsection shall only be effective for crimes occurring on or after the effective date of this section."; and

Further amend the title and enacting clause accordingly.

CCR SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended, with Conference Committee Amendment No. 1 and Conference Committee Amendment No. 2, relating to crimes, was taken up by Representative Hosmer.

Representative Hosmer moved that Rule 60 be suspended and **CCR SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended, with Conference Committee Amendment No. 1 and Conference Committee Amendment No. 2** be adopted.

Representative Green requested a division of the question on the motion.

On motion of Representative Hosmer, Rule 60 was suspended by the following vote:

AYES: 141

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Boucher	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Cooper	Copeland	Crum 112	Crump 152	Daniel 42
Daniels 41	Davis	Days	Donovan	Dougherty
Edwards-Pavia	Elliott	Enz	Evans	Farmer
Farnen	Fiebelman	Fitzwater	Foley	Ford
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Lograsso
Long	Loudon	Luetkenhaus	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pouche	Prost	Pryor	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Vogel
Wannenmacher	Whiteside	Wiggins	Williams 159	Wooten

Mr. Speaker

NOES: 009

Bland	Bray 84	Clayton	Lumpe	Monaco
Montgomery	Murphy	Van Zandt	Wieland	

PRESENT: 000

ABSENT WITH LEAVE: 012

Akin	Goward	Gunn	Hand	Kelley 47
O'Neill	Pauley	Ribaudo	Scott	Ward
Williams 121	Witt			

VACANCY: 001

Representative Hosmer again moved that **CCR SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended, with Conference Committee Amendment No. 1 and Conference Committee Amendment No. 2** be adopted.

Representative Hosmer withdrew his motion.

Representative Hosmer moved that the House refuse to adopt **CCR SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended, with Conference Committee Amendment No. 1 and Conference Committee Amendment No. 2** and ask the Senate to grant a further conference.

Which motion was adopted.

CONFERENCE COMMITTEE REPORT #2
ON SENATE COMMITTEE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILLS NOS. 1557 AND 1489

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 & 1489, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and the Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for House Bills Nos. 1557 & 1489;

2. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bills Nos. 1557 & 1489, with Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 8, Senate Amendment No. 9, Senate Amendment No. 11 and Senate Amendment No. 12;

3. That the attached Conference Committee Substitute No. 2 be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Rita D. Days	/s/ Bill McKenna
/s/ May Scheve	/s/ Ed Quick
/s/ Paula J. Carter	/s/ Ronnie DePasco
/s/ Beth Long	/s/ Irene Treppler
/s/ David Levin	/s/ Franc Flotron

CCR #2 SCS HCS HBs 1557 and 1489, as amended, relating to election deadlines, was taken up by Representative Days.

On motion of Representative Days, Rule 60 was suspended and **CCR #2 SCS HCS HBs 1557 and 1489, as amended,** was adopted by the following vote:

AYES: 137

Alter	Auer	Backer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Foster	Franklin	Froelker	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Howerton
Kasten	Kauffman	Keeven	Kelly 27	Kissell
Klumb	Koller	Kreider	Lakin	Leake
Legan	Levin	Liese	Linton	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Pryor	Relford	Reynolds	Richardson	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thompson 37	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 006

Akin	Hall	Hohulin	Lograsso	Ridgeway

Wieland

PRESENT: 000

ABSENT WITH LEAVE: 019

Daniel 42	Daniels 41	Ford	Goward	Gunn
Hand	Hoppe	Hosmer	Jacob	Kelley 47
Naeger	O'Neill	Prost	Ribaudo	Rizzo
Thomason 163	Troupe	Ward	Witt	

VACANCY: 001

Representative Scheve assumed the Chair.

On motion of Representative Days, **CCS #2 SCS HCS HBs 1557 and 1489** was read the third time and passed by

the following vote:

AYES: 132

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foster	Franklin	Froelker	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell 124	Hall	Harlan	Hartzler 123	Hartzler
Heckemeyer	Hegeman	Hendrickson	Hickey	Howerton
Kasten	Kauffman	Keeven	Kelly 27	Klumb
Koller	Kreider	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murphy	Murray 69	Murray 135	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Pryor	Relford	Reynolds	Richardson
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stokan	Stoll	Summers
Surface	Tate	Treadway	Van Zandt	Vogel
Wannenmacher	Whiteside	Wiggins	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 004

Hohulin	Lograsso	Ridgeway	Wieland

PRESENT: 000

ABSENT WITH LEAVE: 026

Daniel 42	Daniels 41	Foley	Ford	Garnett
Goward	Gunn	Hand	Hoppe	Hosmer
Jacob	Kelley 47	Kissell	Lakin	Leake
Marshall 133	Naeger	O'Neill	Prost	Ribaudo
Rizzo	Thomason 163	Thompson 37	Troupe	Ward

Witt

VACANCY: 001

Representative Scheve declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 135

Akin	Alter	Auer	Backer	Ballard
Barry 100	Bland	Boatright	Bonner	Boucher
Bray 84	Broach	Brown	Burton	Canuteson
Carter	Champion	Childers	Chrismer	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Foster	Franklin	Froelker
Garnett	Gaskill	Graham	Gratz	Green
Griesheimer	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hickey	Hoppe
Hosmer	Howerton	Kasten	Kauffman	Keeven
Kelly 27	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Lograsso
Long	Luetkenhaus	Lumpe	Marshall 26	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135

Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Smith	Sombart	Steen	Stokan	Stoll
Summers	Surface	Tate	Thomason 163	Treadway
Troupe	Van Zandt	Vogel	Wannenmacher	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 012

Barnett 4	Bennett 15	Evans	Gibbons	Gross
Hendrickson	Hohulin	Linton	Loudon	Marble
Whiteside	Wieland			

PRESENT: 000

ABSENT WITH LEAVE: 015

Bartelsmeyer	Daniel 42	Daniels 41	Ford	Goward
Gunn	Hand	Jacob	Kelley 47	Kissell
Marshall 133	O'Neill	Ribaudo	Thompson 37	Ward

VACANCY: 001

On motion of Representative Montgomery, title to the bill was agreed to.

Representative McBride moved that the vote by which the bill passed be reconsidered.

Representative McLuckie moved that motion lay on the table.

The latter motion prevailed.

MOTION

On motion of Representative Carter, **SS SCS HB 1081, as amended**, was adopted by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bennett 15	Bland	Boatright
Bonner	Boucher	Bray 84	Broach	Brown
Burton	Canuteson	Carter	Champion	Childers
Chrismer	Cierpiot	Clayton	Cooper	Copeland
Crum 112	Crump 152	Daniel 42	Daniels 41	Davis
Days	Donovan	Dougherty	Edwards-Pavia	Elliott
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gaskill	Gibbons	Graham
Gratz	Green	Griesheimer	Gross	Hagan-Harrell
Hall	Harlan	Hartzler 123	Hartzler 124	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	Mays 50
McBride	McClelland	McLuckie	Monaco	Montgomery
Morgan	Murphy	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Pryor
Relford	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Whiteside	Wieland	Wiggins
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Bartelsmeyer	Goward	Gunn	Hand	Heckemeyer
Kelley 47	Klumb	O'Neill	Ribaudo	Sallee
Thompson 37	Ward			

VACANCY: 001

On motion of Representative Carter, **SS SCS HB 1081, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 150

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kissell	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Rizzo
Robirds	Ross	Sallee	Scheve	Schilling
Schwab	Scott	Sears 1	Secrest	Shear 83
Sheldon 104	Shelton 57	Shields	Skaggs	Smith
Sombart	Steen	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Whiteside	Wieland
Williams 121	Williams 159	Witt	Wooten	Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Goward	Gunn	Hand	Kelley 47	Kelly 27
Klumb	O'Neill	Ribaudo	Ridgeway	Stokan
Ward	Wiggins			

VACANCY: 001

Representative Scheve declared the bill passed.

On motion of Representative Overschmidt, title to the bill was agreed to.

Representative O'Toole moved that the vote by which the bill passed be reconsidered.

Representative O'Connor moved that motion lay on the table.

The latter motion prevailed.

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to

concur in **HCS for SB 836**, and requests the House to recede from its position or failing to do so, grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate grants the House further conference on **SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended**.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House: Senators Caskey, Moseley, Maxwell, Graves and Westfall.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1113**, entitled:

An act to repeal section 173.239, RSMo Supp. 1995, relating to certain scholarship programs, and to enact in lieu thereof six new sections relating to the same subject.

With Senate Amendment No. 1

Senate Amendment No. 1

Amend Senate Substitute for Senate Committee Substitute for House Bill No. 1113, Page 2, Section 173.239, Line 27 of said page by inserting immediately after said line the following:

"173.250. 1. There is hereby established a "Higher Education Academic Scholarship Program" and any moneys appropriated by the general assembly for this program shall be used to provide scholarships for Missouri citizens to attend a Missouri college or university of their choice pursuant to the provisions of this section.

2. The definitions of terms set forth in section 173.205 shall be applicable to such terms as used in this section. The term "academic scholarship" means an amount of money paid by the state of Missouri to a qualified college or university student who has demonstrated superior academic achievement pursuant to the provisions of this section.

3. The coordinating board for higher education shall be the administrative agency for the implementation of the program established by this section, and shall:

(1) Promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section, including regulations for granting scholarship deferments;

(2) Prescribe the form and the time and method of awarding academic scholarships, and shall supervise the processing thereof; and

(3) Select qualified recipients to receive academic scholarships, make such awards of academic scholarships to qualified recipients and determine the manner and method of payment to the recipient.

4. A student shall be eligible for initial or renewed academic scholarship if he or she is in compliance with the eligibility requirements set forth in section 173.215 excluding the requirement of financial need and undergraduate status **and excluding the provisions of subdivision (6) of subsection 1 of section 173.215**, and in addition meets the following requirements:

(1) Initial academic scholarships shall be offered in the academic year immediately following graduation from high school to Missouri high school seniors whose composite scores on the American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the College Board are in the top three percent of all Missouri students taking those tests during the school year in which the scholarship recipients graduate from high school. In the freshman year of college, scholarship recipients are required to maintain status as a full-time student;

(2) Academic scholarships are renewable if the recipient remains in compliance with the applicable provisions of section 173.215 and the recipient makes satisfactory academic degree progress as a full-time student.

5. A student who is enrolled or has been accepted for enrollment as a postsecondary student at an approved private or public institution beginning with the fall, 1987, term and who meets the other eligibility requirements for an academic scholarship shall, within the limits of the funds appropriated and made available, be offered an academic scholarship in the amount of two thousand dollars for the first academic year of study, which scholarship shall be renewable in the amount of two thousand dollars annually for the second, third and fourth academic years or as long as the recipient is in compliance with the applicable eligibility requirements set forth in section 173.215 **except as provided in this section**, provided those years of study are continuous and the student continues to meet eligibility requirements for the scholarship; provided, however, if a recipient ceases all attendance at an approved public or private institution for the purpose of providing service to a nonprofit organization, a state or federal government agency or any branch of the armed forces of the United States, the recipient shall be eligible for a renewal scholarship upon return to any approved public or private institution, provided the recipient:

(1) Returns to full-time status within twenty-seven months;

(2) Provides verification in compliance with coordinating board for higher education rules that the service to

the nonprofit organization was satisfactorily completed and was not compensated other than for expenses or that the service to the state or federal governmental agency or branch of the armed forces of the United States was satisfactorily completed; and

(3) Meets all other requirements established for eligibility to receive a renewal scholarship.

6. A recipient of academic scholarship awarded under this section may transfer from one approved Missouri public or private institution to another without losing eligibility for the scholarship. If a recipient of the scholarship at any time withdraws from an approved private or public institution so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees or other charges, the institution shall pay the portion of the refund attributable to the scholarship for that term to the coordinating board for higher education.

7. Other provisions of this section to the contrary notwithstanding, if a recipient has been awarded an initial academic scholarship pursuant to the provisions of this section but is unable to use the scholarship during the first academic year because of illness, disability, pregnancy or other medical need or if a recipient ceases all attendance at an approved public or private institution because of illness, disability, pregnancy or other medical need, the recipient shall be eligible for an initial or renewal scholarship upon enrollment in or return to any approved public or private institution, provided the recipient:

(1) Enrolls in or returns to full-time status within twenty-seven months;

(2) Provides verification in compliance with coordinating board for higher education rules of sufficient medical evidence documenting an illness, disability, pregnancy or other medical need of such person to require that that person will not be able to use the initial or renewal scholarship during the time period for which it was originally offered; and

(3) Meets all other requirements established for eligibility to receive an initial or a renewal scholarship."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

MOTION

Representative Leake moved that the House refuse to recede from its position on **HCS SB 836** and grant the Senate a conference with the conferees being allowed to exceed the differences.

Which motion was adopted.

RE-APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker re-appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

SS #5 SCS HCS HBs 800, 812, 817 and 821: Representatives Hosmer, Schilling, Smith, Murray (135) and Wooten

The Speaker resumed the Chair.

THIRD READING OF SENATE BILL

SCS SB 842, with House Committee Amendment No. 1, relating to federal officers arrest powers, was taken up by Representative Green.

On motion of Representative Green, **House Committee Amendment No. 1** was adopted.

On motion of Representative Green, **SCS SB 842, as amended,** was read the third time and passed by the following vote:

AYES: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler

124				
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Lumpe	Marble	Marshall 26	Marshall
133				
May 108	Mays 50	McBride	McClelland	McLuckie
Monaco	Montgomery	Morgan	Murphy	Murray 69
Murray 135	Naeger	Nordwald	O'Connor	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Ribaudo
Richardson	Ridgeway	Rizzo	Robirds	Ross
Sallee	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton
57				
Shields	Skaggs	Smith	Sombart	Steen
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 006

Goward	Gunn	Hand	Kelley 47	Kelly 27

O'Neill

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Rizzo, title to the bill was agreed to.

Representative Tate moved that the vote by which the bill passed be reconsidered.

Representative Smith moved that motion lay on the table.

The latter motion prevailed.

MOTION

On motion of Representative Stoll, **SS SCS HB 1113, as amended**, was adopted by the following vote:

AYES: 154

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels
41				
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler
124				
Heckemeyer	Hegeman	Hendrickson	Hickey	Hoppe
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelly 27	Kissell	Klumb	Koller
Kreider	Lakin	Leake	Legan	Levin
Liese	Linton	Lograsso	Long	Loudon
Luetkenhaus	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murphy	Murray 69	Murray
135				
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost

Pryor	Relford	Reynolds	Ribaudo	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Goward	Gunn	Hand	Hohulin	Kelley 47
Lumpe	O'Neill	Thompson 37		

VACANCY: 001

On motion of Representative Stoll, **SS SCS HB 1113, as amended,** was truly agreed to and finally passed by the following vote:

AYES: 149

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Champion	Childers
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniel 42	Daniels 41	Davis	Days
Donovan	Dougherty	Edwards-Pavia	Elliott	Enz
Evans	Farmer	Farnen	Fiebelman	Fitzwater
Foley	Ford	Foster	Franklin	Froelker
Garnett	Gaskill	Gibbons	Graham	Gratz
Green	Griesheimer	Gross	Hagan-Harrell	Hall
Harlan	Hartzler 123	Hartzler 124	Heckemeyer	Hegeman
Hendrickson	Hickey	Hohulin	Hoppe	Hosmer
Howerton	Jacob	Kasten	Kauffman	Keeven
Kelly 27	Kissell	Klumb	Koller	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Lograsso	Long	Loudon	Luetkenhaus
Lumpe	Marble	Marshall 26	Marshall 133	May 108
Mays 50	McBride	McClelland	McLuckie	Monaco
Montgomery	Morgan	Murray 69	Murray 135	Naeger
Nordwald	O'Connor	O'Toole	Oetting	Ostmann
Overschmidt	Pauley	Pouche	Prost	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Scheve	Schilling	Schwab	Scott
Sears 1	Secrest	Shear 83	Sheldon 104	Shelton 57
Shields	Skaggs	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Thompson 37	Treadway	Troupe	Van Zandt	Vogel
Wannenmacher	Ward	Whiteside	Wieland	Wiggins
Williams 159	Witt	Wooten	Mr. Speaker	

NOES: 001

Carter

PRESENT: 000

ABSENT WITH LEAVE: 012

Chrismer	Goward	Gunn	Hand	Kelley 47
Murphy	O'Neill	Pryor	Ribaudo	Sallee
Smith	Williams 121			

VACANCY: 001

The Speaker declared the bill passed.

On motion of Representative Sears (1), title to the bill was agreed to.

Representative Luetkenhaus moved that the vote by which the bill passed be reconsidered.

Representative Lumpe moved that motion lay on the table.

The latter motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like committee from the Senate on the following bill:

HCS SB 836: Representatives Leake, Copeland, Liese, Elliott anddby Wannenmacher.

Seventy-seventh Day-Friday, May 17, 1996

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 992**, entitled:

An act to repeal section 454.360, RSMo 1994, relating to enforcement of support law, and to enact in lieu thereof fifty-five new sections relating to the same subject, with an effective date.

With Senate Amendment No. 1

Senate Amendment No. 1

Amend House Bill No. 992, Page 1, Section Title, Line 2-3 by striking said lines and inserting in lieu thereof the following: "To repeal sections 210.150, 210.152 and 210.183, RSMo 1994, relating to child protection and support, and to enact in lieu thereof fifty-six new sections relating to the same subject, with an effective date."; and

Further amend said bill, page 1, section A, line 1, by striking said line and inserting in lieu thereof the following:

"Section A. Sections 210.150, 210.152 and 210.183, RSMo 1994, are repealed and fifty-six new sections enacted in lieu thereof,"; and further on line 2, by inserting immediately after the word "sections" the following: "210.150, 210.152, 210.183,"; and

Further amend said bill, page 1, section A, line 7, by inserting immediately after said line, the following:

"210.150. 1. The division of family services shall ensure the confidentiality of all reports and records made pursuant to sections 210.109 to 210.183 and maintained by the division, its local offices, the central registry, and other appropriate persons, officials, and institutions pursuant to sections 210.109 to 210.183. To protect the rights of the family and the child named in the report as a victim, the division of family services shall establish guidelines which will ensure that any disclosure of information concerning the abuse and neglect involving that child is made only to persons or agencies that have a right to such information. The division may require persons to make written requests for access to records maintained by the division. The division shall only release information to persons who have a right to such information. The division shall notify persons receiving information pursuant to subdivisions (2), (7), (8) and (9) of subsection 2 of this section of the purpose for which the information is released and of the penalties for unauthorized dissemination of information. Such information shall be used only for the purpose for which the information is released.

2. Only the following persons shall have access to investigation records contained in the central registry:

(1) Appropriate federal, state or local criminal justice agency personnel, or any agent of such entity, with a need for such information under the law to protect children from abuse or neglect;

(2) A physician or a designated agent who reasonably believes that the child being examined may be abused or neglected;

(3) Appropriate staff of the division and of its local offices, including interdisciplinary teams which are formed to assist the division in investigation, evaluation and treatment of child abuse and neglect cases or a multidisciplinary provider of professional treatment services for a child referred to the provider;

(4) Any child named in the report as a victim, or a legal representative, or the parent, if not the alleged perpetrator, or guardian of such person when such person is a minor, or is mentally ill or otherwise incompetent, but the names of reporters shall not be furnished to persons in this category. Prior to the release of any identifying information, the division of family services shall determine if the release of such identifying information may place a person's life or safety in danger. If the division makes the determination that a person's life or safety may be in danger, the identifying information shall not be released. The division shall provide a

method for confirming or certifying that a designee is acting on behalf of a subject;

(5) Any alleged perpetrator named in the report, but the names of reporters shall not be furnished to persons in this category. Prior to the release of any identifying information, the division of family services shall determine if the release of such identifying information may place a person's life or safety in danger. If the division makes the determination that a person's life or safety may be in danger, the identifying information shall not be released. However, the investigation reports will not be released to any alleged perpetrator with pending criminal charges arising out of the facts and circumstances named in the investigation records until an indictment is returned or an information filed;

(6) A grand jury, juvenile officer, prosecuting attorney, law enforcement officer involved in the investigation of child abuse or neglect, juvenile court or other court conducting abuse or neglect or child protective proceedings, and other federal, state and local government entities, or any agent of such entity, with a need for such information in order to carry out its responsibilities under the law to protect children from abuse or neglect;

(7) Any person engaged in a bona fide research purpose, with the permission of the director; provided, however, that no information identifying the child named in the report as a victim or the reporters shall be made available to the researcher, unless the identifying information is essential to the research or evaluation and the child named in the report as a victim or, if the child is less than eighteen years of age, through the child's parent, or guardian provides written permission;

(8) Any child care facility; child placing agency; residential care facility, including group homes; juvenile courts; public or private elementary schools; public or private secondary schools; or any other public or private agency exercising temporary supervision over a child or providing or having care or custody of a child who may request an examination of the central registry from the division for all employees and volunteers or prospective employees and volunteers, who do or will provide services or care to children. Any agency or business recognized by the division of family services or business which provides training and places or recommends people for employment or for volunteers in positions where they will provide services or care to children may request the division to provide an examination of the central registry. Such agency or business shall provide verification of its status as a recognized agency. Requests for examinations shall be made to the division director or the director's designee in writing by the chief administrative officer of the above homes, centers, public and private elementary schools, public and private secondary schools, agencies, or courts. The division shall respond in writing to that officer. The response shall include information pertaining to the nature and disposition of any report or reports of abuse or neglect revealed by the examination of the central registry. This response shall not include any identifying information regarding any person other than the alleged perpetrator of the abuse or neglect;

(9) Any person who inquires about a child abuse or neglect report involving a specific child care facility, child placing agency, residential care facility, public and private elementary schools, public and private secondary schools, juvenile court or other state agency. The information available to these persons is limited to the nature and disposition of any report contained in the central registry and shall not include any identifying information pertaining to any person mentioned in the report;

(10) Any state agency acting pursuant to statutes regarding a license of any person, institution, or agency which provides care for or services to children;

(11) Any child fatality review panel established pursuant to section 210.192 or any state child fatality review panel established pursuant to section 210.195.

3. Only the following persons shall have access to records maintained by the division pursuant to section 210.152 for which the division has received a report of child abuse and neglect and which the division has determined that there is insufficient evidence or in which the division proceeded with the family assessment and services approach:

(1) Appropriate staff of the division;

(2) Any child named in the report as a victim, or a legal representative, or the parent or guardian of such person when such person is a minor, or is mentally ill or otherwise incompetent. The names or other identifying information of reporters shall not be furnished to persons in this category. Prior to the release of any identifying information, the division of family services shall determine if the release of such identifying information may place a person's life or safety in danger. If the division makes the determination that a person's life or safety may be in danger, the identifying information shall not be released. The division shall provide for a method for confirming or certifying that a designee is acting on behalf of a subject;

(3) Any alleged perpetrator named in the report, but the names of reporters shall not be furnished to persons in this category. Prior to the release of any identifying information, the division of family services shall determine if the release of such identifying information may place a person's life or safety in danger. If the division makes the determination that a person's life or safety may be in danger, the identifying information shall not be released. However, the investigation reports will not be released to any alleged perpetrator with pending criminal charges arising out of the facts and circumstances named in the investigation records until an indictment is returned or an information filed;

(4) Any child fatality review panel established pursuant to section 210.192 or any state child fatality review panel established pursuant to section 210.195;

(5) Appropriate criminal justice agency personnel or juvenile officer;

(6) Multidisciplinary agency or individual including a physician or physician's designee who is providing services to the child or family, with the consent of the parent or guardian of the child or legal representative of the child;

(7) Any person engaged in bona fide research purpose, with the permission of the director; provided, however, that no information identifying the subjects of the reports or the reporters shall be made available to the researcher, unless the identifying information is essential to the research or evaluation and the subject, or if a child, through the child's parent or guardian, provides written permission.

4. After a period of not less than [one year] **sixty days** following **the notification of** a finding by the division, any person who is the subject of a report where there is insufficient evidence of abuse or neglect may **file a written appeal with the director of the division of family services to order the records removed from the division and destroyed. If the person who is a subject of a report where there is insufficient evidence of abuse or neglect, is aggrieved by the decision of the director of the division of family services not to remove and destroy the records, such person may** petition the circuit court to order the records removed from the division and destroyed. The division shall be named as respondent. Venue shall be in the county where the person resides, or in circuits with split venue in the venue in which the alleged perpetrator resides. If the alleged perpetrator is not a resident of the state, proper venue shall be in Cole County, naming the division of family services as respondent.

5. **No person with access to records maintained pursuant to subsection 3 of this section shall use such records in any child custody or visitation proceeding.**

6. Except as provided in subdivision (8) of subsection 2 of this section, no employer shall have access to or use any employee's records, contained in the central registry or maintained by the division pursuant to subsection 3 of this section, for the purpose of hiring, promoting, firing, reassigning, demoting or making any other personnel decisions regarding such employee.

7. Any person who knowingly violates the provisions of this section, or who permits or encourages the unauthorized dissemination of information contained in the information system or the central registry and in reports and records made pursuant to sections 210.109 to 210.183, shall be guilty of a class A misdemeanor.

210.152. 1. All identifying information, including telephone reports reported pursuant to section 210.145, relating to reports of abuse or neglect received by the division shall be retained by the division and removed from the records of the division as follows:

(1) For investigation reports contained in the central registry, identifying information shall be retained by the division;

(2) For investigation reports where insufficient evidence of abuse or neglect is found by the division, identifying information shall be retained for [five] **three** years from the date of the report or from the date of the closing of a case opened by the division in response to the report or from the date of the last report if there were subsequent reports, whichever is later. Such report shall include any exculpatory evidence known by the division, including exculpatory evidence obtained after the closing of the case. At the end of such [five-year] **three-year** period, the identifying information shall be removed from the records of the division and destroyed;

(3) **Any person, official or institution intentionally filing a false report shall be subject to the penalty provisions as provided by section 210.165. In addition, in the case of court adjudication as provided by section 210.165, any person or official employed by the division intentionally filing a false report of child abuse or neglect shall be subject to the following:**

(a) Suspension of employment not to exceed three months for a first offense;

(b) Termination of employment for a second offense.

(4) For reports where the division uses the family assessment and services approach, identifying information shall be retained by the division;

[(4)**] (5)** For reports in which the division is unable to locate the child alleged to have been abused or neglected, identifying information shall be retained for ten years from the date of the report and then shall be removed from the records of the division.

2. Within ninety days after receipt of a report of abuse or neglect that is investigated, the alleged perpetrator named in the report and the parents of the child named in the report, if the alleged perpetrator is not a parent, shall be notified in writing of any determination made by the division based on the investigation. The notice shall advise either:

(1) That the division has determined that there is probable cause to suspect abuse or neglect exists and that

the division shall retain all identifying information regarding the abuse or neglect; that such information shall remain confidential and will not be released except to law enforcement agencies, prosecuting or circuit attorneys, or as provided in section 210.150; that the alleged perpetrator has sixty days from the date of receipt of the notice to seek reversal of the division's determination through a review by the child abuse and neglect review board as provided in subsection 3 of this section;

(2) There is insufficient probable cause of abuse or neglect. **The notice will also inform the person who is the subject of a report where there is insufficient evidence of abuse or neglect, of the right to file a written appeal with the director of the division of family services to order the records be removed from the division and destroyed. The notification must continue and state that if the person who is the subject of a report where there is insufficient evidence of abuse or neglect, is aggrieved by the decision of the director of the division of family services not to remove and destroy the records, such person may petition the circuit court to order the records removed from the division and destroyed.**

3. Any person named in an investigation as a perpetrator who is aggrieved by a determination of abuse or neglect by the division as provided in this section may seek an administrative review by the child abuse and neglect review board pursuant to the provisions of section 210.153. Such request for review shall be made within sixty days of notification of the division's decision under this section. In those cases where criminal charges arising out of facts of the investigation are pending, the request review shall be made within sixty days from the court's final disposition or dismissal of the charges.

4. In any such action for administrative review, the child abuse and neglect review board shall sustain the division's determination if such determination is supported by evidence of probable cause and is not against the weight of such evidence. The child abuse and neglect review board hearing shall be closed to all persons except the parties, their attorneys and those persons providing testimony on behalf of the parties.

5. If the alleged perpetrator is aggrieved by the decision of the child abuse and neglect review board, the alleged perpetrator may seek de novo judicial review in the circuit court in the county in which the alleged perpetrator resides and in circuits with split venue, in the venue in which the alleged perpetrator resides, or in Cole County. If the alleged perpetrator is not a resident of the state, proper venue shall be in Cole County. The case may be assigned to the family court division where such a division has been established. The request for a judicial review shall be made within sixty days of the notification of the decision of the child abuse and neglect review board decision. In reviewing such decisions, the circuit court shall provide the alleged perpetrator the opportunity to appear and present testimony. The alleged perpetrator may subpoena any witnesses except the alleged victim or the reporter. However, the circuit court shall have the discretion to allow the parties to submit the case upon a stipulated record.

6. In any such action for administrative review the child abuse and neglect review board shall notify the child or the parent, guardian or legal representative of the child that a review has been requested.

210.183. 1. At the time of the initial investigation of a report of child abuse or neglect, the division employee conducting the investigation shall provide the alleged perpetrator with a written description of the investigation process. Such written notice shall be given substantially in the following form:

"The investigation is being undertaken by the Division of Family Services pursuant to the requirements of chapter 210 of the Revised Missouri Statutes in response to a report of child abuse or neglect.

"The identity of the person who reported the incident of abuse or neglect is confidential and may not even be known to the Division since the report could have been made anonymously.

"This investigation is required by law to be conducted in order to enable the Division of Family Services to identify incidents of abuse or neglect in order to provide protective or preventive social services to families who are in need of such services.

"The division shall make every reasonable attempt to complete the investigation within thirty days. Within ninety days you will receive a letter from the Division which will inform you of one of the following:

"(1) That the Division has found insufficient evidence of abuse or neglect; **that the subject of a report where there is insufficient evidence of abuse or neglect has the right to file a written appeal with the director of the division of family services to order the records be removed from the division and destroyed. The notification must continue and state that if the person who is the subject of a report where there is insufficient evidence of abuse or neglect, is aggrieved by the decision of the director of the division of family services not to remove and destroy the records, such person may petition the circuit court to order the records removed from the division and destroyed;** or

"(2) That there appears to be probable cause to suspect the existence of child abuse or neglect in the judgment of the Division and that the Division will contact the family to offer social services.

"If the Division finds there is probable cause to believe child abuse or neglect has occurred or the case is substantiated by court adjudication, a record of the report and information gathered during the investigation will remain on file with the Division.

"If you disagree with the determination of the Division and feel that there is insufficient probable cause to

believe abuse or neglect has occurred, you have a right to request an administrative review at which time you may hire an attorney to represent you. If you request an administrative review on the issue, you will be notified of the date and time of your administrative review hearing by the child abuse and neglect review board. If the division's decision is reversed by the child abuse and neglect review board, the Division records concerning the report and investigation will be updated to reflect such finding. If the child abuse and neglect review board upholds the division's decision, an appeal may be filed in circuit court within sixty days of the child abuse and neglect review board's decision."

2. If the division uses the family assessment approach, the division shall at the time of the initial contact provide the parent of the child with the following information:

(1) The purpose of the contact with the family;

(2) The name of the person responding and his office telephone number;

(3) The assessment process to be followed during the division's intervention with the family including the possible services available and expectations of the family."

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 836**: Senators Quick, McKenna, Johnson, Treppler and Klarich.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report #2 on **SCS HCS HB 1557 and 1489, as amended**, and has taken up and passed **CCS #2 SCS HCS HB 1557 and 1489**.

Emergency clause adopted.

MOTION

Representative Harlan moved that the House refuse to concur in **Senate Amendment No. 1** to **HB 992** and request the Senate to recede from its position or, failing to do so, grant the House a conference.

Which motion was adopted.

BILLS IN CONFERENCE

CONFERENCE COMMITTEE REPORT
FOR SENATE SUBSTITUTE
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE BILL NO. 1362

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on Senate Substitute for Senate Committee Substitute for House Bill No. 1362, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Bill No. 1362;

2. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 1362, as amended;

3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 1362, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Brent Evans	/s/ Jim Mathewson
/s/ Gene Copeland	/s/ Bill Kenney
/s/ Ed Hartzler	/s/ Bill McKenna
Scott Lakin	/s/ Franc Flotron
Phil Smith	/s/ Sidney Johnson

On motion of Representative Evans, Rule 60 was suspended and **CCR SS SCS HB 1362, as amended,** was adopted by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels

41				
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Goward	Gunn	Hand	Kelley 47	O'Neill

On motion of Representative Evans, **CCS SS SCS HB 1362** was read the third time and passed by the following vote:

AYES: 157

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Froelker	Garnett	Gaskill	Gibbons
Graham	Gratz	Green	Griesheimer	Gross
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Keeven	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McBride	McClelland
McLuckie	Monaco	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart

Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Thompson 37	Treadway	Troupe
Van Zandt	Vogel	Wannenmacher	Ward	Whiteside
Wieland	Wiggins	Williams 121	Williams 159	Witt
Wooten	Mr. Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Goward	Gunn	Hand	Kelley 47	O'Neill

VACANCY: 001

The Speaker declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 137

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Canuteson	Carter	Childers	Cierpiot
Clayton	Cooper	Copeland	Crum 112	Crump 152
Daniel 42	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Harlan	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hickey
Hosmer	Howerton	Jacob	Kasten	Kauffman
Keeven	Kelly 27	Kissell	Klumb	Kreider
Lakin	Leake	Legan	Levin	Liese
Linton	Long	Loudon	Luetkenhaus	Marble
Marshall 26	Marshall 133	May 108	Mays 50	McBride
McClelland	McLuckie	Monaco	Montgomery	Morgan
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Rizzo	Robirds	Ross	Sallee	Scheve
Schwab	Scott	Sears 1	Secrest	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Stokan	Stoll	Summers	Surface	Tate
Thomason 163	Thompson 37	Treadway	Troupe	Vogel
Wannenmacher	Ward	Whiteside	Williams 121	Williams 159
Wooten	Mr. Speaker			

NOES: 018

Bray 84	Chrismer	Froelker	Hohulin	Hoppe
Koller	Lograsso	Lumpe	Murphy	Richardson
Ridgeway	Schilling	Shear 83	Steen	Van Zandt
Wieland	Wiggins	Witt		

PRESENT: 000

ABSENT WITH LEAVE: 007

Champion	Goward	Gunn	Hand	Kelley 47
O'Neill	Ribaudo			

VACANCY: 001

On motion of Representative Farnen, title to the bill was agreed to.

Representative Fiebelman moved that the vote by which the bill passed be reconsidered.

Representative Fitzwater moved that motion lay on the table.

The latter motion prevailed.

CONFERENCE COMMITTEE REPORT NO. 2
FOR SENATE SUBSTITUTE NO. 5
FOR SENATE COMMITTEE SUBSTITUTE
FOR HOUSE COMMITTEE SUBSTITUTE
FOR HOUSE BILLS NOS. 800, 812, 817 AND 821

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate, on SS #5 SCS HCS House Bills Nos. 800, 812, 817 and 821, as amended; begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on HCS HBs Nos. 800, 812, 817 and 821;

2. That the Senate recede from its position on SS#5 SCS HCS HBs Nos. 800, 812, 817 and 821, as amended;

3. That the attached CCA No. 1 and CCS SS #5 SCS HCS HBs Nos. 800, 812, 817 and 821, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Craig Hosmer	/s/ Harold L. Caskey
/s/ Connie Wible Murray (135)	/s/ Joe Moseley
/s/ Chuck Wooten	/s/ Morris Westfall
/s/ Phil Smith	/s/ Sam Graves
/s/ Mike Schilling	/s/ Joe Maxwell

Conference Committee Amendment No. 1

AMEND Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bills Nos. 800, 812, 817 and 821, pages 25-27, section 221.355, by removing all of said section from the bill; and

Further amend said bill, section 451.020, page 60, line 4, by striking the words "between two persons of the same sex"; and

Further amend said bill, page 112, section 5, by removing all of said section from the bill.

Representative Hosmer moved that Rule 60 be suspended and **CCR #2 SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended, with Conference Committee Amendment No. 1**, be adopted.

CCR #2 SS #5 SCS HCS HBs 800, 812, 817 and 821, as amended, with Conference Committee Amendment No. 1, was placed back on the calendar.

CONFERENCE COMMITTEE REPORT
FOR CONFERENCE COMMITTEE SUBSTITUTE

FOR HOUSE SUBSTITUTE

FOR HOUSE COMMITTEE SUBSTITUTE
FOR SENATE BILL NO. 888

Mr. Speaker: Your Conference Committee, appointed to confer with a like committee of the Senate on House Substitute for House Committee Substitute for Senate Bill No. 888, as amended, begs leave to report that we, after free and fair discussion of the differences between the House and Senate, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Substitute for House Committee Substitute for Senate Bill No. 888, as amended;

2. That the Senate recede from its position on Senate Bill No. 888;

3. That the attached Conference Committee Substitute for House Substitute for House Committee Substitute for Senate Bill No. 888, be adopted.

FOR THE HOUSE:	FOR THE SENATE:
/s/ Ken Jacob	/s/ Wayne Goode
/s/ Dana L. Murray	/s/ Mike Lybyer
/s/ Jason Klumb	/s/ James Mathewson

/s/ Delbert Scott John T. Russell

Rich Chrismer Walt Mueller

MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken

up and adopted **HS HCS SCS SBs 604, 666 and 816** and has taken up and passed **HS HCS SCS SBs 604, 666 and 816**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representative that the Senate has receded from its position on **SA 1 to HB 992** and has taken up and passed **HB 992**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HB 1362, as amended**, and has taken up and passed **CCS SS SCS HB 1362**.

Emergency clause adopted.

OATH OF OFFICE

Chief Clerk of Missouri House of Representatives, Anne Walker, advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Steve Gaw, Speaker of the Missouri House of Representatives.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 12:00 noon, Thursday, May 23, 1996.

CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Thursday, May 16, 1997, page 3, roll call, by showing Representatives Robirds, Brown, Shields and Days voting "aye" rather than "absent with leave".

Page 4, roll call, by showing Representatives Loudon, Kelly (27) and Brown voting "aye" rather than "absent with leave".

Page 5, roll call, by showing Representatives Kelly (27) and Bartelsmeyer voting "aye" rather than "absent with leave".

Pages 5 and 6, roll call, by showing Representatives Kelly (27) and Relford voting "aye" rather than "absent with leave".

Pages 7 and 8, roll call, by showing Representatives Kelly (27) and Leake voting "aye" rather than "absent with leave".

Pages 10 and 11, roll call, by showing Representatives Leake and May (108) voting "aye" rather than "absent with leave".

Page 14, roll call, by showing Representatives Gratz and Hartzler (124) voting "aye" rather than "absent with leave".

Page 15, roll call, by showing Representatives Robirds, Gratz, Hartzler (124), Champion and Murphy voting "aye" rather than "absent with leave".

Page 23, roll call, by showing Representatives Farmer and McClelland voting "aye" rather than "absent with leave".

Pages 38 and 39, roll call, by showing Representative Richardson voting "no" rather than "absent with leave".

Pages 41 and 42, roll call, by showing Representatives Liese and Farmer voting "present" rather than "absent with leave".

Pages 51 and 52, roll call, by showing Representatives Keeven and Liese voting "aye" rather than "absent with leave".

Pages 52 and 53, roll call, by showing Representatives Keeven, Hosmer and Liese voting "aye" rather than "absent with leave".

Page 53, roll call, by showing Representatives Keeven and Hosmer voting "aye" rather than "absent with leave".

Page 61, roll call, by showing Representatives Farmer, Bennett, Keeven and Liese voting "aye" rather than "absent with leave".

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House Journal

Second Regular Session, 88th General Assembly

SEVENTY-EIGHTH DAY, Thursday, May 23, 1996

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SS HB 1432, CCS SS #2 HB 809, SCS HS HB 1368, CCS SS SCS HB 1362, CCS HB 1098, HCS HB 1159, 842 & 799, CCS SS SCS HS HCS HB 1207, 1288, 1408, & 1409, CCS HCS HB 781, HJR 58, CCS SCS HS HCS HB 1301 & 1298 and SS #4 SS SS SCS HS HCS HB 1320, 981, 1042, 1109 & 1250**, begs leave to report it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

SIGNING OF HOUSE JOINT RESOLUTIONS

All other business of the House was suspended while **HJR 58** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HJR 58** was delivered to the Secretary of State by the Chief Clerk of the House.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HCS HB 1001, CCS HB 1002, CCS HB 1003, CCS HB 1004, CCS HB 1005, CCS HB 1006, CCS HB 1007, CCS HB 1008, CCS HB 1009, CCS HB 1010, CCS HB 1011, CCS HB 1012, SCS HCS HB 1013, HB 1019, SCS HCS HB 1020, HB 773, CCS HCS HB 781, HB 791, CCS SS #2 HB 809, CCS HB 811, HB 819, HB 823, CCS HS HB 832, HB 876, SCS HCS HBs 904, 788 and 966, CCS HB 905, HB 929, HB 937, HB 941, HB 956, CCS SS SCS HB 974, HB 979, HB 980, CCR #3 HCS HB 991, SCS HCS HB 999, SCS HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202, HB 1076, HB 1093, CCS SCS HB 1097, CCS HB 1098, HB 1110, HB 1117, HB 1123, HB 1131, HCS HB 1146, HCS HBs 1159, 842 and 799, HB 1166, HB 1171, CCS SS SCS HS HCS HBs 1207, 1288, 1408 and 1409, HB 1208, HB 1217, HB 1221, HB 1223, HB 1244, HB 1248, HB 1260, HB 1286, HB 1295, CCS SCS HS HCS HBs 1301 and 1298, SCS HB 1304, HB 1315, SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 and 1250, HB 1355, HB 1359, HB 1361, CCS SS SCS HB 1362, SCS HS HB 1368, SCS HB 1369, SCS HCS HBs 1376 and 1501, SCS HB 1379, HB 1400, HB 1404, HB 1419, HB 1431, CCS SS HB 1432, HB 1440, HB 1441, HB 1460, CCS SCS HB 1466, SCS HB 1469, HB 1477, HB 1504, SCS HB 1523, HB 1541, HB 1554, HB 1566, HB 1598, HB 1601, HB 1604 and HB 1610** were read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HCS HB 1001, CCS HB 1002, CCS HB 1003, CCS HB 1004, CCS HB 1005, CCS HB 1006, CCS HB 1007, CCS HB 1008, CCS HB 1009, CCS HB 1010, CCS HB 1011, CCS HB 1012, SCS HCS HB 1013, HB 1019, SCS HCS HB 1020, HB 773, CCS HCS HB 781, HB 791, CCS SS #2 HB 809, CCS HB 811,**

HB 819, HB 823, CCS HS HB 832, HB 876, SCS HCS HBs 904, 788 and 966, CCS HB 905, HB 929, HB 937, HB 941, HB 956, CCS SS SCS HB 974, HB 979, HB 980, CCR #3 HCS HB 991, SCS HCS HB 999, SCS HS HCS HBs 1069, 794, 807, 936, 1128, 1153 and 1202, HB 1076, HB 1093, CCS SCS HB 1097, CCS HB 1098, HB 1110, HB 1117, HB 1123, HB 1131, HCS HB 1146, HCS HBs 1159, 842 and 799, HB 1166, HB 1171, CCS SS SCS HS HCS HBs 1207, 1288, 1408 and 1409, HB 1208, HB 1217, HB 1221, HB 1223, HB 1244, HB 1248, HB 1260, HB 1286, HB 1295, CCS SCS HS HCS HBs 1301 and 1298, SCS HB 1304, HB 1315, SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 and 1250, HB 1355, HB 1359, HB 1361, CCS SS SCS HB 1362, SCS HS HB 1368, SCS HB 1369, SCS HCS HBs 1376 and 1501, SCS HB 1379, HB 1400, HB 1404, HB 1419, HB 1431, CCS SS HB 1432, HB 1440, HB 1441, HB 1460, CCS SCS HB 1466, SCS HB 1469, HB 1477, HB 1504, SCS HB 1523, HB 1541, HB 1554, HB 1566, HB 1598, HB 1601, HB 1604 and HB 1610 were delivered to the Governor by the Chief Clerk of the House.

SIGNING OF SENATE BILLS

All other business of the House was suspended while **SB 489, SB 491, SB 500, SB 506, SCS SB 524, SB 525, SB 526, CCS HS HCS SS SB 560, CCS HCS SB 572, SB 578, SB 589, HCS SCS SB 598, HS HCS SCS SBs 604, 666 and 816, SCS SB 640, CCS HCS SCS SB 657, SB 661, CCS SB 664, SCS SB 668, SCS SB 670, HCS SB 683, HCS SCS SB 708, HCS SB 715, SCS SB 719, CCS HS HCS SS SCS SB 722, HCS SS SCS SBs 723 and 891, SB 728, SS SB 740, HS SB 757, HCS SCS SB 759, HS SB 768, HCS SB 769, SCS SB 777, HCS SB 780, SB 781, SB 787, SB 792, HCS SS SCS SBs 795, 542 and 563, HS SB 805, SB 834, HCS SB 835, SB 845, SB 854, SB 855, SB 858, HS HCS SS SCS SB 869, SB 876, HS HCS SCS SBs 884 and 841, SB 898, HCS SB 914, SB 926, SB 930, HCS SB 933 and HCS SB 947** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Lograsso offered an objection to **SB 676** which was appended to the bill.

LETTER OF OBJECTION

CONSTITUTIONAL OBJECTION

IN THE SECOND REGULAR SESSION OF THE
EIGHTY-EIGHTH GENERAL ASSEMBLY
OF THE STATE OF MISSOURI

OBJECTION

Comes now, Representative Don Lograsso, duly elected member of the Missouri House of Representatives from the fifty-fourth district, to present the following objection pursuant to Article III, section 30, of the Missouri Constitution, to Senate Bill No. 676. This bill should not be signed and this objection shall be so noted in the Journal and if the signed shall be annexed to the bill for the governor's consideration.

I believe this legislation is constitutionally infirm for the following reasons:

1. Senate Bill No. 676 allows municipal health facilities organized pursuant to chapter 96, county health facilities organized pursuant to chapter 205, and hospital districts organized pursuant to chapter 206 to operate health care facilities outside their respective territorial districts.

2. In each type of facility the taxes which support the facilities are levied within the territorial districts based on the assessed valuation of property within the territorial districts.

3. Such taxation scheme allows one group of taxpayers (those outside the territory) to benefit at the expense of another group of similarly-situated taxpayers (those inside the territory).

4. Senate Bill 676 is unconstitutional in that is a violation of the equal protection provision of Article I, section 2 of the Missouri Constitution and of the Fourteenth Amendment of the United States Constitution.

5. Conference Committee Amendment No. 1 to Senate Bill 676 mandates that "the governing body of the city shall approve the hospital's plan for such purchase, operation or lease prior to implementation of the plan."

6. Such mandate violates section 96.150, RSMo (1994) which requires voter approval for the establishment of separate medical facilities and additional levies, and also violates section 22, Article X of the Missouri Constitution.

7. In addition, I object to Senate Bill 676 on statutory grounds because it is statutorily inconsistent with section 205.270, RSMo (1994) in that section 205.270, RSMo (1994) specifically states that the hospitals established pursuant to the sections "shall be for the benefit of the inhabitants of such county and of any person falling sick or being injured or maimed within its limits."

8. Accordingly, I conclude that Senate Bill 676 is unconstitutional for the above-stated reasons and should not be signed.

Respectfully submitted,

/s/ Don Lograsso

State Representative

District 54

SIGNING OF SENATE BILL

All other business of the House was suspended while **SB 676** was read at length and was signed by the Speaker to the end that the same may become law.

MESSAGE FROM THE GOVERNOR

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 895 and House Bill No. 986 entitled:

An act to repeal section 302.272, RSMo 1994, section 302.272 as truly agreed to and finally passed by the second regular session of the eighty-eighth general assembly in senate bill no. 522, and section 302.272 as truly agreed to and finally passed by the second regular session of the eighty-eighth general assembly in house bill no. 1441, relating to school bus operator permits, and to enact in lieu thereof three new sections relating to the same subject, with an emergency clause.

The primary purpose of this bill is to remove the maximum age restriction that prohibits persons seventy years old and over from obtaining a permit to operate a school bus. The bill also contains an appropriate restriction for the protection of public safety that requires persons seventy years old and over to renew their permits annually.

However, the bill also increases the fee for a new or renewed permit to operate a school bus from $3.00 to $11.00 unless the applicant is 70 years old or over, in which case the fee increased to $3.75. I object to the significant increase in the fee.

For the above and foregoing reasons, House Bill No. 895 and House Bill No. 986 is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Wednesday, May 29, 1996.

House Members
Bill Information
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General Information
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RELATED LINKS
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Missouri State Government
Missouri Senate
Revised Statutes of Missouri Search
Revised Statutes of Missouri (RSMO)
Missouri Constitution
Capitol Commission
Visiting the House
House Job Opportunities
Current Bid Items
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Printer Friendly

House Journal

Second Regular Session, 88th General Assembly

SEVENTY-NINTH DAY, Wednesday, May 29, 1996

Speaker Gaw in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Backer reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred **CCS SS SCS HS HCS HB 1237, CCS SCS HS HCS HB 1169 & 1271, CCS #2 SCS HCS HBs 1557 & 1489, HCS HB 991, HB 992, SS SCS HB 1081 and SS SCS HB 1113**, begs leave to report that it has examined the same and finds them to be truly and correctly printed as agreed to and finally passed.

SIGNING OF HOUSE BILLS

All other business of the House was suspended while **CCS SS SCS HS HCS HBB 1237, CCS SCS HS HCS HBs 1169 & 1271, CCS #2 SCS HCS HBs 1557 & 1489, HCS HB 991, HB 992, SS SCS HB 1081 and SS SCS HB 1113** were read at length and, thereS HB being no objection, were signed by the Speaker to the end that the same mayhereS HB become law.

Having been duly signed in open session of the Senate, **CCS SS SCS HS HCS HB 1237, CCS SCS HS HCS HBs 1169 & 1271, CCS #2 SCS HCS HBs 1557 & 1489, HCS HB 991, HB 992, SS SCS HB 1081 and SS SCS HB 1113** were delivered to the Governor by the Chief Clerk of the House.

MESSAGE FROM THE GOVERNOR

May 28, 1996

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

88TH GENERAL ASSEMBLY

SECOND REGULAR SESSION

STATE OF MISSOURI:

Herewith I return to you Senate Committee Substitute for House Committee Substitute for House Bill No. 1099 entitled:

An act to repeal sections 266.152, 266.160, 266.165, 266.170, 266.175, 266.180, 266.185, 266.190, 266.200, 266.205, 266.210, 266.220, 276.401, 276.411, 276.421, 276.423, 276.426, 276.436, 276.441, 276.456, 276.461, 276.471, 276.486, 276.491, 276.501, 276.506, 276.511, 276.516, 411.115, 411.131, 411.180, 411.260, 411.261, 411.271, 411.278, 411.280, 411.283, 411.287, 411.321, 411.323, 411.325, 411.391, 411.405, 411.471, 411.517, 411.518 and 411.519, RSMo 1994, and section 266.195, 411.026 and 411.070, RSMo Supp. 1995, relating to agricultural products, and to enact in lieu thereof forty-nine new sections relating to the same subject, with penalty provisions, an emergency clause and an effective date for certain sections.

The above entitled bill contains several laudable provisions which would streamline the licensing process for grain dealers and certain entities involved in commercial feed production and distribution. However, the bill mandates numerous fee increases that are excessive and not necessary.

For the above and foregoing objections, Senate Committee Substitute for House Committee Substitute for House Bill No. 1099 is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

ADJOURNMENT

On motion of Representative Backer, the House adjourned as of midnight, May 30, 1996.

The Speaker declared the House of the Eighty-eighth General Assembly, convened in Second Regular Session on January 3, 1996, adjourned sine die, as of midnight, May 30, 1996, in accordance with the Constitution.

STEVE GAW

Speaker of the House

ANNE C. WALKER

Chief Clerk of the House

CORRECTIONS TO HOUSE JOURNAL

Correct House Journal, Seventy-eighth Day, Thursday, May 23, 1996, page 1 by deleting on line 26 the following: "**CCR #3 HCS HB 991**".

Page 1, line 27 by inserting after "**HB 1076**" the following: "**HB 1086**".

House Members
Bill Information
Committees
Media Center
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Missouri State Government
Missouri Senate
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Revised Statutes of Missouri (RSMO)
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Frequently Requested Resources

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Printer Friendly

House Journal

VETO SESSION

Second Regular Session, 88th General Assembly

FIRST DAY, Wednesday, September 11, 1996

Speaker Gaw in the Chair.

Prayer by Reverend Carol Koenig, West Park United Methodist Church, Moberly, Mo.

Let us still our hearts - close our minds to all but this moment.

Creator and Giver of life, we bow in silence before you today, with gratitude and humility.

You have bestowed upon us material abundance. You have bestowed upon us authority. You have given us power over the lives of people. We are grateful for our lives and for the trust placed in us.

We are humbled by the magnitude of our mission. Teach us to be deliberate as we work, that we may check in ourselves all selfishness, all ungenerous judgment.

No matter our affiliation, give us the power of insight and discernment. Where we are filled with pride, subdue us; where we are in error, correct us. Open our minds that we might understand your world and its people. Grant us knowledge, wisdom and insight that what we do here may truly lead to better lives for the people of this State.

Let our gratitude strengthen us. Let our humility govern us. Let our belief in things larger than ourselves guide us.

May we hear our prayer and may we feel your power blessing us as we work together to create a better world. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Page of the Day, to serve without compensation: Lukas Noeth.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 156

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach

Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels 41
Davis	Days	Donovan	Dougherty	Edwards-Pavia
Elliott	Enz	Evans	Farmer	Farnen
Fiebelman	Fitzwater	Foley	Ford	Foster
Franklin	Garnett	Gaskill	Gibbons	Goward
Graham	Gratz	Green	Griesheimer	Gross
Gunn	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hickey	Hohulin	Hoppe	Hosmer	Howerton
Jacob	Kasten	Kauffman	Keeven	Kelley 47
Kelly 27	Klumb	Koller	Kreider	Lakin
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Lumpe
Marble	Marshall 26	Marshall 133	May 108	McBride
McClelland	McLuckie	Montgomery	Morgan	Murphy
Murray 69	Murray 135	Naeger	Nordwald	O'Connor
O'Toole	Oetting	Ostmann	Overschmidt	Pauley
Pouche	Prost	Pryor	Relford	Reynolds
Ribaudo	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Sears 1	Secrest	Shear 83	Sheldon 104
Shelton 57	Shields	Skaggs	Smith	Sombart
Steen	Stokan	Stoll	Summers	Surface
Tate	Thomason 163	Treadway	Troupe	Van Zandt
Vogel	Wannenmacher	Ward	Whiteside	Wieland
Wiggins	Williams 121	Williams 159	Witt	Wooten

Mr. Speaker

ABSENT WITH LEAVE: 006

Froelker	Kissell	Mays 50	Monaco	O'Neill

Thompson 37

RESOLUTIONS

Representative Backer offered House Resolution No. 1.

HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives inform the Governor and the Senate that the House is duly convened and is now in session in the 1996 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 1 was adopted.

Representative Backer offered House Resolution No. 2.

HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that the Chief Clerk and the Accounts, Operations and Finance Committee of the House be authorized to employ for the 1996 Constitutional Veto Session; a Sergeant-at-arms, five Doorkeepers, one Reading Clerk, one Page and one Clerk Typist as authorized by Appropriations.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 2 was adopted.

Representative Gratz offered House Resolution No. 3.

HOUSE RESOLUTION NO. 3

WHEREAS, the Missouri House of Representatives fully recognizes the importance of preparing our youth to become active and productive citizens through worthwhile governmental or citizenship projects; and

WHEREAS, the House has a long tradition of rendering assistance to those organizations which sponsor these projects in the interest of our young people; and

WHEREAS, one clear example of such an organization is the Missouri YMCA, which has become widely recognized for its sponsorship of the Youth in Government program; and

WHEREAS, the Missouri YMCA Youth in Government program provides the participants with a unique insight into the day-to-day operation of our state government:

NOW, THEREFORE, BE IT RESOLVED, by the members of the Missouri House of Representatives, Eighty-eighth General Assembly, that the Missouri YMCA be hereby granted permission to use the House Chambers, House Hearing Rooms and the House Press Gallery for the State Youth in Government Convention to be held on December 5, 6 and 7, 1996.

On motion of Representative Gratz, Rule 63 was suspended and House Resolution No. 3 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has offered and adopted the following resolution:

SENATE

RESOLUTION NO. 1

BE IT RESOLVED by the Senate that the Secretary of the Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Section 32, Article III of the Constitution and is ready for the consideration of its business.

MESSAGES FROM THE GOVERNOR

July 3, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you House Bill No. 819 entitled:

"AN ACT"

Relating to Southern Regional Emergency Management Compact.

The primary purpose of this bill is to allow Missouri to participate in a mutual aid compact, which will result in the sharing of resources among states during times of emergency. The body of the bill is identical to SB 740 which I signed into law July 2, 1996.

However, this bill names the mutual aid compact the "Southern Regional Emergency Management Compact:, and SB 740 names the mutual aid compact the "Emergency Mutual Aid Compact." As a result of this inadvertent conflict, interpretation of these provisions in statute would result in confusion.

For the above foregoing reasons, House Bill No. 819 is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

May 20, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 895 and House Bill No. 986 entitled:

"AN ACT"

To repeal section 302.272, RSMo 1994, section 302.272 as truly agreed to and finally passed by the second regular session of the eighty-eighth general assembly in senate bill no. 522, and section 302.272 as truly agreed to and finally passed by the second regular session of the eighty-eighth general assembly in house bill no. 1441, relating to school bus operator permits, and to enact in lieu thereof

three new sections relating to the same subject, with an emergency clause.

The primary purpose of this bill is to remove the maximum age restriction that prohibits persons seventy years old and over from obtaining a permit to operate a school bus. The bill also contains an appropriate restriction for the protection of public safety that requires persons seventy years old and over to renew their permits annually.

However, the bill also increases the fee for a new or renewed permit to operate a school bus from $3.00 to $11.00 unless the applicant is 70 years old or over, in which case the fee increased to $3.75. I object to the significant increase in the fee.

For the above and foregoing reasons, House Bill No. 895 and House Bill No. 986 is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

June 11, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Conference Committee Substitute for House Bill No. 1007 entitled:

"AN ACT'

To appropriate money for the expenses, grants, refunds, and distributions of the

Department of Economic Development, Department of Insurance, and the Department

of Labor and Industrial Relations, and the several divisions and programs thereof to be

expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to

transfer money among certain funds, for the period beginning July 1, 1996 and ending June 30, 1997.

Section 7.137

I hereby veto $100,000 for the Missouri Humanities Council because of a technical error in appropriations passed by the General Assembly. The appropriations provide for spending from the Missouri Arts Council Trust Fund rather that the Missouri Humanities Council Trust Fund. This error can be corrected in the supplemental appropriations. No negative impact will occur due to this delay of program funding for the Missouri Humanities Council.

Said section is vetoed by $100,000 to $0 in total from Missouri Arts Council Trust Fund.

From $632,000 to $532,000 in total for the section.

On June 11, 1996, I approved said Conference Committee Substitute for House Bill No. 1007, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

June 11, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Conference Committee Substitute for House Bill No. 1011 entitled:

"AN ACT"

To appropriate money for the expenses, grants, and distributions of the Department of

Social Services and the several divisions and programs thereof to be expended only as

provided in Article IV, Section 28 of the Constitution of Missouri, for the period

beginning July 1, 1996, and ending June 30, 1997.

Section 11.051

I hereby veto $27,500 general revenue in the Division of General Services' budget for a feasibility study of a building in Cape Girardeau. The Office of Administration, Division of Design and Construction, has already determined that the building would require a total renovation, including the removal of lead and asbestos and the replacement of all major mechanical and electrical systems. The building would require very extensive work, at a considerable expense, before it would benefit Missouri's citizens as a support center.

Said section is vetoed in its entirety. Expense and Equipment by $27,500 from $27,500 to $0.

From $27,500 to $0 in total from General Revenue Fund.

Section 11.125

I hereby veto $251,379, including $125,690 general revenue, for two income maintenance supervisors and five clerk typists for the Division of Family Services (DFS). The purpose of expanding the DFS staff is to attempt to reduce food stamp and welfare error rates in St. Louis. The Fiscal Year 1996 and Fiscal Year 1997 budgets each have $2.5 million for DFS to pay overtime for caseworkers and support staff to reduce error rates. Existing, experienced caseworkers are being used in this statewide effort. The impact of this approach has not been fully evaluated and should be considered before state bureaucracy is expanded. The state has also invested in computer systems to increase the efficiency and accuracy of state employees. Adding staff at this point would be contrary to the more business-like direction in which the state has been moving to increase the effectiveness and efficiency of current staff.

Personal Service by $62,208 from $9,172,041 to $9,109,833.

Expense and equipment by $63,482 from $901,908 to $838,426.

From $10,098,043 to $9,972,353 in total from General Revenue Fund.

Personal Service by $62,208 from $24,489,300 to $24,427,092.

Expense and Equipment by $63,481 from $1,734, 237 to $1,670,756.

From $26,270,171 to $26,144,482 in total from Federal Funds.

From $36,610,166 to $36,358,787 in total for the section.

Section 11.126

I hereby veto $387,564, including $193,782 general revenue, for 17 caseworkers and 2 case analysts for the Division of Family Services (DFS). The purpose of expanding the DFS staff is to attempt to reduce food stamp and welfare error rates in St. Louis. The Fiscal Year 1996 and Fiscal Year 1997 budgets each have $2.5 million for DFS to pay overtime for caseworkers and support staff to reduce error rates. Existing, experienced caseworkers are being used in this statewide effort. The impact of this approach has not been fully evaluated and should be considered before state bureaucracy is expanded. The state has also invested in computer systems to increase the efficiency and accuracy of state employees. Adding staff at this point would be contrary to the more business-like direction in which the state has been moving to increase the effectiveness and efficiency of current staff.

Personal Service by $191,682 from $21,989,815 to $21,798,133.

Expense and Equipment by $2,100 from $997,607 to $995,507.

From $23,042,726 to $22,848,944 in total from General Revenue Fund.

Personal Service by $191,682 from $56,194,600 to $56,002,918.

Expense and Equipment by $2,100 from $1,643,485 to $1,641,385.

From $57,928,317 to $57,734,535 in total from Federal Funds.

From $81,376,624 to $80,989,060 in total for the section.

On June 11, 1996, I approved said Conference Committee Substitute for House Bill No. 1011, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

June 11, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Senate Committee Substitute for House Committee Substitute for House Bill No. 1013

entitled:

"AN ACT"

To appropriate money for real property leases, related services, and utilities and systems furniture; andstructural modifications for new FTE for the several departments of state government
and the divisions andprograms thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri,and to appropriate money for capital improvements and the other
expenses of the Office of Administrationand the divisions and programs thereof, and to transfer money among certain funds, for the period beginning

July 1, 1996, and ending June 30, 1997.

Section 13.120

I hereby veto $62,593 for leased space for 26 Division of Family Services' staff vetoed from House Bill 1011.

From $6,238,476 to $6,203,744 in total from General Revenue Fund.

From $6,136,675 to $6,108,814 in total from Federal Funds.

From $13,031,473 to $12,968,880 in total for the section.

On June 11, 1996, I approved said Senate Committee Substitute for House Committee Substitute for House Bill No 1013, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Mel Carnahan

May 28, 1996

TO THE CHIEF CLERK OF THE

HOUSE OF REPRESENTATIVES

88TH GENERAL ASSEMBLY

SECOND REGULAR SESSION

STATE OF MISSOURI:

Herewith I return to you Senate Committee Substitute for House Committee Substitute for House Bill No. 1099 entitled:

"AN ACT"

To repeal sections 266.152, 266.160, 266.165, 266.170, 266.175,

266.180, 266.185, 266.190, 266.200, 266.205, 266.210, 266.220,

276.401, 276.411, 276.421, 276.423, 276.426, 276.436, 276.441,

276.456, 276.461, 276.471, 276.486, 276.491, 276.501, 276.506,

276.511,276.516, 411.115, 411.131, 411.180, 411.260, 411.261,

411.271, 411.278, 411,280, 411.283, 411.287, 411.321, 411.323,

411.325, 411.391, 411.405, 411.471, 411.517, 411.518 and 411.519,

RSMo 1994, and section 266.195, 411.026 and 411.070, RSMo Supp.

1995, relating to agriculture products, and to enact in lieu thereof forty-nine

new sections relating to the same subject, with penalty provisions, an

emergency clause and an effective date for certain sections.

The above entitled bill contains several laudable provisions which would streamline the licensing process for grain dealers and certain entities involved in commercial feed production and distribution. However, the bill mandates numerous fee increases that are excessive and not necessary.

For the above and foregoing objections, Senate Committee Substitute for House Committee Substitute for House Bill No. 1099 is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

July 12, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Senate Substitute for Senate Committee Substitute for House Bill No. 1113 entitled:

"AN ACT"

To repeal section 173.250, RSMo 1994, and section 173.239, RSMo Supp. 1995,

relating to certain scholarship programs, and to enact in lieu thereof seven new sections

relating to the same subject.

Although creating scholarships and grants for the youth of our state in order to increase the access to the educational opportunities offered by our schools, colleges and universities is a high priority of my administration, I must return this bill unsigned because certain provisions could result in state funds being provided to students pursuing a degree in theology or divinity. Article IX, Section 8, of the Missouri Constitution prohibits public aid for religious purposes. While I certainly respect an individual's right to freely exercise the religion of their choice, I am advised that approval of this bill would result in almost certain litigation as to whether or not state funds expended for a student pursuing a divinity or theology degree violates the above referenced section of our Constitution, as well as the United States Constitution. Because I prefer the state education funds to be spent on education and not litigation, I object to this bill in order to avoid the almost certain litigation which would follow.

For the above reasons, I must return House Bill No. 1113 unsigned.

Respectfully submitted,

/s/ Mel Carnahan

July 3, 1996

TO SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Senate Substitute #4 for Senate Substitute for Senate Substitute for Senate Committee Substitute for House Substitute for House Committee Substitute for House Bills Nos. 1320, 981, 1042, 1109, and 1250 entitled:

"AN ACT"

To repeal sections 188.025 and 188.080, RSMo 1994, relating to

abortions, and to enact in lieu thereof seven new sections relating to

the same subject, with penalty provisions and an effective date.

I cannot approve HB 1320 and must return it unsigned because it places further restrictions on a women's right to choose, puts women who must undergo emergency abortions at risk, contains record- keeping provisions which violate current confidentiality protections for women and physicians, and contains provisions which raise serious constitutional questions.

House Bill 1320 places new barriers between women and their right to choose a safe and legal abortion by placing multiple new requirements on physicians who perform the procedure. Because the bill limits application of these new requirements only to physicians who perform abortions, and does not apply the new requirements to other legal medical and surgical procedures, it is clear that the bill was not written solely to protect the health and safety of women as some proponents have argued. Instead, I believe this bill is primarily intended to further hinder a woman's right to choose.

A woman' s access to safe and legal abortions is further jeopardized by House Bill 1320 because it changes current law about what is required when a woman has an abortion because of an emergency. Currently,

there are certain requirements to be met when an abortion is to be performed, including that the procedure must be performed by a physician. These requirements are found in chapter 188, RSMo. Section 188.077 of House Bill 1320 will allow anyone who decides that a "medical emergency has so complicated the pregnancy as to require an emergency abortion" to ignore the requirements of chapter 188. This section of HB 1320 would endanger women's health by allowing untrained or unqualified people to perform abortions. This clearly puts women in danger and could return us to the days of the past when women died from unsafe back alley abortions performed by unlicensed and incompetent individuals.

Another troubling provision is contained in section 192.038 which requires the Department of Health to make sure that certain abortion facilities comply with the record-keeping provisions of chapter 188. However, the confidentiality protections of chapter 188 are not recodified in chapter 192. This effectively removes the confidentiality protections in chapter 188 in order to identify and make public the names of physicians who perform abortions. Such disclosures would put physicians, their families and patients at risk of harassment, intimidation, or injury as we have unfortunately seen in other states.

House Bill 1320 also contains a provision which may violate existing court orders against the State of Missouri. In the Ashcroft decision in 1983, the United States Supreme Court found that a Missouri statute which required that an abortion be performed in a specific facility was unconstitutional. HB 1320 attempts to do the same thing in section 188.025 by limiting the places where abortions can be performed. I believe the Court has already ruled on this type of provision and that this section of the bill would likely be found to be unconstitutional and a violation of an existing court order.

For the above foregoing reasons, the bill is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

July 12, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Senate Committee Substitute for House Bill No. 1379 entitled:

"An Act"

Relating to certain operations of government.

The purpose of this bill is to protect individual privacy by limiting the disclosure of social security numbers. While I am supportive of that goal, the over-broad language of the bill could result in excessive delays in the delivery of government services without providing the intended protections.

I am instructing all of the directors of the executive departments to re-examine their department's policies and procedures regarding the disclosure of social security numbers and work with my office to develop a policy to address this issue. This policy would be implemented through either an executive order or future legislation.

For the above and foregoing reasons, Senate Committee Substitute for House Bill No. 1379 is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

July 12, 1996

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI:

Herewith I return to you Senate Committee Substitute for House Bill No. 1523 entitled:

"AN ACT"

To amend chapter 610, RSMo, relating to governmental records by

adding thereto one new section, relating to certain public school

records.

One purpose of this bill is to limit access to personally identifiable school records by any person who is not employed by a school district. As the bill is drafted, school districts will only be able to transfer a student's

records to another school district with the consent of a parent or guardian. This language is in conflict with the Safe Schools Act which allows a student's record to follow the student to every school district he or she attends.

For the above and foregoing reasons, Senate Committee Substitute for House Bill No. 1523 is returned and not approved.

Respectfully submitted,

/s/ Mel Carnahan

VETOED FROM THE HOUSE BILLS

REGULAR SESSION SECOND

Speaker Gaw read the following House Bills vetoed from the Second Regular Session: **HB 819, CCS SCS HCS HBs 895 & 986, CCS SCS HCS HB 1007, CCS SCS HCS HB 1011, SCS HCS HB 1013, SCS HCS HB 1099, SS SCS HB 1113, and SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 & 1250**.

SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 & 1250, relating to abortion, was taken up by Representative Edwards-Pavia.

Representative Edwards-Pavia moved that **SS #4 SS SS SCS HS HCS HBs 1320, 981, 1042, 1109 & 1250** be enacted into law, the objections of the Governor thereto notwithstanding.

Which motion was defeated by the following vote:

AYES: 090

Akin	Alter	Auer	Ballard	Barnett 4
Barry 100	Bartelsmeyer	Bennett 15	Boatright	Bonner
Broach	Burton	Champion	Childers	Chrismer
Cierpiot	Cooper	Crum 112	Donovan	Dougherty
Edwards-Pavia	Enz	Evans	Foley	Foster
Gaskill	Gibbons	Graham	Gratz	Green
Griesheimer	Gross	Hall	Hand	Hartzler 123
Hartzler 124	Heckemeyer	Hegeman	Hendrickson	Hohulin
Hoppe	Howerton	Kasten	Keeven	Kelley 47
Leake	Legan	Levin	Liese	Linton
Lograsso	Long	Loudon	Luetkenhaus	Marble
Marshall 133	McClelland	Murphy	Naeger	Nordwald
O'Connor	O'Toole	Oetting	Overschmidt	Pouche
Pryor	Reynolds	Richardson	Ridgeway	Rizzo
Robirds	Ross	Sallee	Schwab	Scott
Secrest	Sheldon 104	Shields	Steen	Stoll
Summers	Surface	Treadway	Vogel	Wannenmacher
Whiteside	Wieland	Wiggins	Williams 159	Wooten

NOES: 066

Backer	Bland	Boucher	Bray 84	Brown
Canuteson	Carter	Clayton	Copeland	Crump 152
Daniels 41	Davis	Days	Farmer	Farnen
Fiebelman	Fitzwater	Ford	Franklin	Garnett
Goward	Gunn	Hagan-Harrell	Harlan	Hickey
Hosmer	Jacob	Kauffman	Kelly 27	Klumb
Koller	Kreider	Lakin	Lumpe	Marshall 26
May 108	Mays 50	McBride	McLuckie	Montgomery
Morgan	Murray 69	Murray 135	Ostmann	Pauley
Prost	Relford	Ribaudo	Scheve	Schilling
Sears 1	Shear 83	Shelton 57	Skaggs	Smith
Sombart	Stokan	Tate	Thomason 163	Thompson 37
Troupe	Van Zandt	Ward	Williams 121	Witt

Mr. Speaker

PRESENT: 000

ABSENT WITH LEAVE: 006

Daniel 42	Elliott	Froelker	Kissell	Monaco

O'Neill

Representative Edwards-Pavia requested verification of Roll Call 2.

Speaker Gaw read the following House Bills vetoed from the Second Regular Session: **SCS HB 1379 and SCS HB 1523**.

Representative Backer suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 000

NOES: 000

PRESENT: 144

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Broach	Brown
Burton	Carter	Champion	Childers	Chrismer
Cierpiot	Clayton	Cooper	Copeland	Crum 112
Crump 152	Daniels 41	Davis	Days	Donovan
Dougherty	Edwards-Pavia	Elliott	Enz	Evans
Farmer	Farnen	Fiebelman	Fitzwater	Foley
Ford	Foster	Franklin	Garnett	Gaskill
Gibbons	Graham	Gratz	Green	Griesheimer
Gross	Hagan-Harrell	Hall	Hand	Harlan
Hartzler 123	Hartzler 124	Heckemeyer	Hegeman	Hendrickson
Hohulin	Hoppe	Hosmer	Howerton	Jacob
Kasten	Kauffman	Keeven	Kelly 27	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Loudon	Luetkenhaus	Lumpe	Marble	Marshall 26
Marshall 133	May 108	Mays 50	McClelland	McLuckie
Montgomery	Morgan	Murphy	Murray 69	Murray 135
Naeger	Nordwald	O'Connor	O'Toole	Oetting
Ostmann	Overschmidt	Pauley	Pouche	Prost
Pryor	Relford	Reynolds	Richardson	Ridgeway
Rizzo	Robirds	Ross	Sallee	Scheve
Schilling	Schwab	Scott	Sears 1	Secrest
Shear 83	Sheldon 104	Shelton 57	Shields	Skaggs
Sombart	Steen	Stokan	Stoll	Summers
Surface	Thomason 163	Treadway	Troupe	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Witt	Wooten	Mr. Speaker	

ABSENT WITH LEAVE: 018

Bray 84	Canuteson	Daniel 42	Froelker	Goward
Gunn	Hickey	Kelley 47	Kissell	McBride
Monaco	O'Neill	Ribaudo	Smith	Tate
Thompson 37	Van Zandt	Vogel		

MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has offered and adopted the following resolution:

SENATE

RESOLUTION NO. 9

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Section 32, Article III of the Constitution, made no motion to override the Governor's vetoes of Senate Bill No. 522; Senate Committee Substitute for Senate Bill No. 668; House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bills Nos. 723 and 891; House Substitute for Senate Bill No. 757 and Senate Bill No. 929 when the bills were so called by the President.

ADJOURNMENT

On motion of Representative Backer, the House adjourned until 10:00 a.m., Thursday, September 12, 1996.

HOUSE

CALENDAR

SECOND DAY, THURSDAY, SEPTEMBER 12, 1996

HOUSE BILLS VETOED FROM SECOND REGULAR SESSION

HB 819, Southern Regional Emergency Management Compact - Backer

CCS SCS HCS HB 895 & HB 986, school bus driver permits - Ostmann

CCS SCS HCS HB 1007, appropriations - Lumpe

CCS SCS HCS HB 1011, appropriations - Lumpe

SCS HCS HB 1013, appropriations - Lumpe

SCS HCS HB 1099, commercial feed law - Williams (159)

SS SCS HB 1113, high school superior academic achievement scholarship program - Stoll

SS #4 SS SS SCS HS HCS HB 1320, 981, 1042, 1109 and 1250, regulates abortion - O'Connor

SCS HB 1379, no request of person's social security number - Gross

SCS HB 1523, limits access of student records - Linton

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House Journal

VETO SESSION

Second Regular Session, 88th General Assembly

SECOND DAY, Thursday, September 12, 1996

Speaker Gaw in the Chair.

Prayer by Representative Mary Groves Bland.

Precious Lord, God Almighty,

Take our hand and lead us as we struggle on the path of righteousness.

Lord we stand humbly before you this morning bowing our head in humility, lifting our hearts and spirits in praise. We ask Father, that we are always mindful of your goodness in our lives; but Father let us also be mindful of the many in this State, Nation, World, who are experiencing difficulties in their life at this time. Our communities are plagued with violence, poverty, crime, health concerns, hunger and homelessness.

The Bible tells us that we are our "Brothers' keeper and that the poor will be with us always."

We have been blessed with the opportunity to serve the people, the healthy, the sick, the working, the poor, the prosperous, the homeless and sometimes Father, it seems as if we have a mountain of impossibilities before us. Give us the courage and strength to just hue out stones of hope, jobs, health, shelter for the homeless and food for the hungry.

As your Servant, teach us obedience unto you, respect unto each other, and always to be responsible and responsive to the people that send us here.

Father, as our colleagues leave us to venture into new horizons, let our prayers be with them and their families.

To God be the Glory for the opportunity to serve in the House and the Great State.

Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the first day was approved as printed by the following vote:

AYES: 148

Akin	Alter	Auer	Backer	Ballard
Barnett 4	Barry 100	Bartelsmeyer	Bennett 15	Bland
Boatright	Bonner	Boucher	Bray 84	Broach
Brown	Burton	Canuteson	Carter	Champion
Childers	Chrismer	Cierpiot	Clayton	Cooper
Copeland	Crum 112	Crump 152	Daniel 42	Daniels
41				

Davis	Days	Donovan	Dougherty	Edwards-Pavia
Enz	Evans	Farmer	Farnen	Fiebelman
Fitzwater	Foley	Ford	Foster	Franklin
Froelker	Garnett	Gibbons	Goward	Graham
Gratz	Green	Griesheimer	Gross	Gunn
Hagan-Harrell	Hall	Harlan	Hartzler 123	Hartzler 124
Heckemeyer	Hegeman	Hendrickson	Hickey	Hohulin
Hoppe	Hosmer	Howerton	Jacob	Kasten
Kauffman	Kelley 47	Kelly 27	Kissell	Klumb
Koller	Kreider	Lakin	Leake	Legan
Levin	Liese	Linton	Lograsso	Long
Luetkenhaus	Lumpe	Marshall 26	Marshall 133	May 108
Mays 50	McClelland	McLuckie	Monaco	Montgomery
Murphy	Murray 69	Murray 135	Naeger	O'Toole
Oetting	Ostmann	Overschmidt	Pauley	Pouche
Prost	Pryor	Relford	Reynolds	Richardson
Ridgeway	Rizzo	Robirds	Ross	Sallee
Scheve	Schilling	Schwab	Scott	Sears 1
Secrest	Shear 83	Sheldon 104	Shelton 57	Shields
Skaggs	Smith	Sombart	Steen	Stokan
Stoll	Summers	Surface	Tate	Thomason 163
Treadway	Troupe	Van Zandt	Vogel	Wannenmacher
Ward	Whiteside	Wieland	Wiggins	Williams 121
Williams 159	Wooten	Mr. Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Elliott	Gaskill	Hand	Keeven	Loudon
Marble	McBride	Morgan	Nordwald	O'Connor
O'Neill	Ribaudo	Thompson 37	Witt	

VACANCY: 001

RESOLUTION

Representative Backer offered House Resolution No. 4.

HOUSE RESOLUTION NO. 4

BE IT RESOLVED, by the House of Representatives, that the Chief Clerk of the House inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **HB 819, CCS SCS HCS HBs 895 and HB 986, CCS SCS HCS HB 1007, CCS SCS HCS HB 1011, SCS HCS HB 1013, SCS HCS HB 1099, SS SCS HB 1113, SCS HB 1379 and SCS HB 1523** when the bills were called by the Speaker.

On motion of Representative Backer, Rule 63 was suspended and House Resolution No. 4 was adopted.

The following members' presence were noted: Keeven and Gaskill.

ADJOURNMENT

On motion of Representative Backer, the Veto Session of the Eighty-eighth General Assembly, Second Regular Session, adjourned sine die.